COMMISSIONER OF OFFICIAL LANGUAGES
COMMISSAIRE AUX LANGUES OFFICIELLES

ANNUAL REPORT 1986 In Brief

Promise of Renewal:
Year of the Test!

Preface

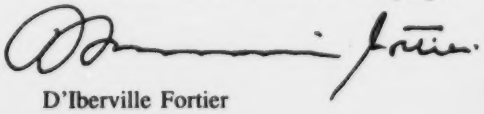
Our first wish is that Canada's linguistic duality be made stronger as a result of Government's promise to renew our national language policy. To give fresh life to a 17-year-old program we need to look again at the spirit, the legal foundations and the mechanics of it all. Language reform helped keep Canada together at a time when the integrity of our country was threatened; now that governments are grappling with the task of bringing Quebec back into the constitutional family, renewal of our official languages program again offers a real chance to bring Canadians closer together.

Feeling as we do that equal treatment of English and French should not be allowed to suffer from a lack of enthusiasm on the part of those politicians and public servants whose job it is to protect it, we have, over the last two years, made a number of proposals for updating the Act and bringing a greater sense of urgency to its application. However, in 1986, in spite of some praiseworthy initiatives, the official languages system as a whole tended to mark time while Government mulled over possible ways to translate language equality into concrete fact.

We continued to carry out our mission of observation and analysis as carefully as possible, though not without some impatience, given an obvious slowdown which began before the present government's time. There are, nevertheless, some reasons to be hopeful: public opinion appears to be outrunning the response of most governments; Parliament's Standing Joint Committee has demonstrated a lively interest in the problems; and we know that, under prompting from the Prime Minister, a great deal of effort has been devoted to drafting a new Official Languages Act to be tabled in the near future. Even the private sector and voluntary organizations are warming to the task of providing service in both languages.

Besides providing a more precise interpretation of English-French equality, clearer terms of reference and a greater degree of enforceability, a revised Act must provide better practical guarantees to our official language minorities. But even that may not mean much if overall funding remains inadequate. Nineteen eighty-seven is shaping up to be the year of the test — not just for Government but for all who are interested in national reconciliation as a basis for Canada's development.

The Commissioner of Official Languages



D'Iberville Fortier

PART I. THE CANADIAN PARTNERSHIP

Megatrends

To the basic Canadian question: "How are we doing, eh?", the best answer for 1986 would probably be a wry: "Could be worse." With some honourable exceptions, the typical federal institution did little better than hold its own this year. What matters now is to aim for a renewed Official Languages Act that will genuinely transmit and enlarge the virtues of the old Act and bring our two main linguistic communities a bit closer to the Entente Cordiale which is their warmest and most useful relationship.

If the old Act now seems a bit short on conceptual scope, and if there have been inefficiencies in its application, it has still helped make possible important and necessary changes of institutional behaviour and public awareness. For that reason, Government promises to "establish a new legislative context" for a "new global official languages policy", and one which would increase federal co-operation with the provinces, were most welcome. But the actual delays did little to help either the day-to-day running of official languages programs in the Public Service or co-operative projects with non-federal players. Practical initiatives in 1986 were pretty small beer in relation to the growing needs or as a prelude of better things to come. We have not yet had the final answer to the question whether Bobby Bilingualism is really dead or whether it will all turn out to be a bad Parliamentary dream.

Besides providing a clearer context for Canada's linguistic partnership, a revised Official Languages Act should clearly embody the three guiding principles of language equality (service to the public, language of work and full participation, as defined by Parliamentary Resolution in 1973), ways of ensuring prompt enforcement when other means have proved inadequate, and firm assurances of support for Anglophone and Francophone minorities across Canada. We have also been pointing out since 1984 that the privatization of federal agencies should be carefully scrutinized from the language angle to forestall any slippage in bilingual performance. As this subject is becoming more and more topical, we badly need a legal guideline to protect service to the public.

The three special reports on some major problems which we presented to the Governor in Council around year's end were intended to give Government an opportunity to resolve long-standing problems or, if that is impossible within existing rules, to make appropriate changes in a revised Act.

In the meantime, Canada's existing language laws produced a record case load for the courts. Too often, however, the latter are being asked to resolve disputes

that could probably, given government action, be settled more humanely and less expensively by relying on discussion and negotiation between the parties.

Some of the provinces tended to steal Ottawa's linguistic thunder in 1986: Ontario's traditional gradualism proved the "sleeper" of the year, coming through with new guarantees of provincial services and minority educational facilities in French. While Quebec did some of the same for its English-speaking population, it also reverted to more turbulent debate about how much institutional recognition is good for English without becoming bad for French.

Efforts to have a majority of the provinces take a more constructive approach to implementing the minority language educational provisions of the Charter (Section 23) have so far encountered only severe jurdisdictional hearing problems. This is becoming a major blot on Canada's concept of itself as a decent, forward-looking country that can give lessons to the world. Canadians should tell a number of provincial leaders that they are letting us down.

At the same time, private sector initiatives are encouraging and show that more and more private and voluntary organizations are discovering for themselves the advantages of bilingualism and are looking to government for encouragement in the sharing of technology and expertise. A word of caution: bilingualism policy is one thing, delivery of service at the local level something else.

The public increasingly endorses Canada's official languages policy, and Government appears to agree that it should have a high priority on our national agenda. Why then do we now spend a lot less on this item than on any comparable priority? Two hundred and fifty million a year may seem a lot to operate the federal administration in both languages, although in fact it is close to the minimum to do the job; the same amount for official languages in education and minority support, however, is beginning to look increasingly inadequate. We may be in grave danger of short-changing ourselves in terms of the overall investment in this key feature of our national personality.

Language Rights

In 1986 there were three important Supreme Court decisions in the field of language rights. The Court found that the language rights guaranteed in the Constitution Act, 1867, and the Manitoba Act, 1870, are those of litigants, counsel, witnesses, judges and other officers of a court, "not those of parties or others who are spoken to" or of those who may receive a summons. The Court also decided that people's right to speak English or French in a court of law does not in itself guarantee that they may be understood in the language of their choice;

a defendant's right to understand court proceedings and to be understood is, it seems, simply a general right under Common Law and not a language right. One dissenting justice asked, in effect, what kind of justice this represents. What indeed, but it is now going to take political will and co-operation to change the rules.

Another language rights question that is still before the courts concerns the residuary status of French in the legislatures and courts of Saskatchewan and Alberta. At issue is whether Section 110 of the old North-West Territories Act was formally rescinded in law at the time the new provinces came into being in 1905, and, if not, whether these residuary language rights are enforceable today. It is a point of more than academic interest, in that it provides further geographic definition to Canadian bilingualism.

Meanwhile, we hope the courts will continue to give a generous interpretation to the section of the Charter dealing with minority language education rights, so that its reformist character is properly respected and its provisions promptly and effectively implemented. Here again, it is our elected officials who must act to bring about practical recognition of the right to minority schooling if they truly intend to make our linguistic duality flourish. A policy better adapted to the needs of our provincial minorities might also emerge from joint studies aimed at developing regional and municipal services in both languages in bilingual regions of Canada. The federal government should do everything possible to encourage such co-operation.

Insofar as the courts seem rather reluctant to resort to creative interpretation of Canada's constitutional language provisions, concrete protection of minority language rights is likely to depend for some time to come, pending constitutional amendments, largely on the good will and constructive action of Parliament and provincial leaders. These issues must sooner or later be addressed in a more co-ordinated way, perhaps, when the time is ripe, in the context of a federal-provincial conference.

Policies and Programs

The first necessity for an official languages plan for Canada is co-ordination: within the federal government, among governments, and between governments and the other players. An effective co-ordination device must include a comprehensive framework, a clearer mandate for the leading agencies, continuity of institutional effort and a system of open reporting to the elected authority.

The processes, which began around 1982, of delegating more and more official languages management to individual institutions and of integrating some of the more specialized tasks within other administrative functions has made it less clear where the official languages buck stops. A study of official languages

accountability came to four broad conclusions: i) the personal commitment and example of deputy heads is a key factor in achieving progress; ii) delegation and integration of official languages duties and functions are, in practice, extremely variable; iii) monitoring and auditing is often inadequate; and iv) though a new "letters of understanding" system may help to hold key managers accountable, in many cases non-fulfilment of objectives still goes relatively unremarked and unpunished.

The Commissioner questions whether, given this state of affairs and the need for a major push to put a revised Official Languages Act into effect, it is wise to pursue the ongoing integration of official languages tasks within other administrative functions in departments. Recent losses in specialized official languages personnel ranging anywhere from 10 per cent to 75 per cent hardly seem a recipe either for greater accountability or a renewal of the reform.

Nineteen eighty-six saw a number of changes to the productivity rules affecting language training, translation and the bilingualism bonus. Treasury Board announced that recipients of the bonus will be regularly tested to ensure they are still bilingual enough to receive it but, while this may make the system more honest, it will not make much impact on the total bill and will have to be closely monitored to prevent any real reduction in bilingual service or supervision. New language training rules, to go into effect in 1987, will rightly put more stress on individual motivation and the priority of developing institutional capacity, but unless they are accompanied by complementary efforts to realize the potential *need* for second language skills, more flexible forms of language training may not lead to greater efficiency.

The Translation Bureau's word volume and budget have been, in effect, capped. The Bureau is still translating the equivalent of a Bible and a half a day with fewer Public Service translators and no new money. Real demand may, however, be increasing and there may soon be no alternative to increased funding or a re-evaluation of translation priorities. We suggest that clear preference must be given to Parliament and the public, but there could also be a deliberate decrease in translation for internal purposes, thereby putting more emphasis on receptive bilingualism. Here too, however, one must know where to stop.

The need for a first-class management system to cope with future demands upon the program leads to the following observations: a truly revitalized program requires continuous co-ordination at the conceptual level and a bold, team-based approach to transmitting the governing ideas to the working parts; moreover, there cannot be effective renewal of Canada's language plan without substantial new money, particularly for language education, and confirmation of our commitment in the shape of human resources.

Standing Joint Committee

The Committee spent much of the year reviewing broad issues of language policy, especially as it concerns Anglophone and Francophone minorities. It heard from minority representatives and from expert witnesses on language law, demography and education. The Committee later called representatives of key federal institutions to explain why they do not comply fully with the Official Languages Act and in some instances do not respect the minimum standards met or exceeded by other federal departments and agencies. The Committee will ask them to appear a second time some six months later — and again if necessary — to report on progress.

PART II. LANGUAGE EQUALITY IN THREE DIMENSIONS

Service to the Public

While Government has reason to be proud of progress on the language of service front since 1969, equal treatment of English and French is still by no means an everyday reality. The Commissioner made several proposals in his 1984 Annual Report on the active offer of bilingual service to the public. In 1986, however, services still suffered from major weaknesses in many federal institutions and in several regions. The number of complaints from the public about such services rose from 913 in 1985 to 1,583 this year, an increase of 73 per cent. This does not include some 1,784 complaints against the Canadian Security Intelligence Service, which constitutes a special case.

We again recommend that Government define the Charter concepts of "significant demand" and "nature of the office" more clearly and generously and ensure that top quality services are actively offered on a continuing basis. It should also undertake an information program aimed at, and publish a guide for, all federal employees providing services to the public. Within the next three years, every office offering bilingual service to the public must have at least one employee capable of communicating effectively with the public in both official languages.

Full Participation

Even if Government has had some success over the years in achieving participation rates in the federal work force that generally reflect the proportion of English and French speakers in Canada, it is still a long way from a satisfactory balance in all sectors and at all levels. Anglophones continue to be very poorly represented in Quebec, as do Francophones in New Brunswick and northern Ontario, and there are striking variations of participation rates between federal institutions and between the various employment categories.

When the Commissioner presented his recommendations on revision of the Official Languages Act, he suggested strengthening the concept of full participation through a preambular reference. The aims and working parameters of this program remain unclear to many. The present policy confusion is perhaps best illustrated by the case of the RCMP which, citing its uneven geographic distribution and provincial and municipal responsibilities, sought to make the Parliamentary Resolution subordinate to operational convenience by reducing its general target of about 21 per cent Francophone participation to a clearly inadequate minimum of 12 to 15 per cent.

Treasury Board Secretariat and the Public Service Commission are urged to negotiate with departments and agencies participation parameters that take specific account of all aspects of their institutional situation and to set generous but realistic objectives for the next three years. They should also intensify their human resources planning and management category staffing efforts to ensure a more equitable balance of both language groups in the senior ranks of the Public Service.

Language of Work

The principle governing language of work is that, in bilingual regions, and subject to the overriding requirement to serve members of the public in their language, federal public servants should be able to work in the official language of their choice. This objective remains as elusive as ever.

The major systemic barriers preventing new gains in language of work are said by both Anglophones and Francophones to be that: in meetings where Anglophones and Francophones are present, Francophones feel obliged to express themselves in English; meetings attended by senior public servants are conducted in English; many Francophones have become identified as English-speaking by their Anglophone peers; the overwhelming majority of work received is written in English and dealt with in that language; and specialized work-related terminology at present makes the use of English indispensable.

There is still no effective government strategy for correcting these bureaucratic biases. The Commissioner recommends, among other things, that management committee meetings be consistently conducted in both official languages; creation of an environment propitious to the use of French be spelled out in managers' statement of goals so that they can be held accountable; professional training include guidance on bilingual supervision, the conduct of meetings, performance appraisal, and so on; and that all executive positions designated as bilingual-imperative should henceforth be staffed, without exception, by bilingual persons.

PART III. LANGUAGE EQUALITY IN FEDERAL INSTITUTIONS

Fifty Players

The federal institutions whose performance is described in the Report were selected either because they were the subject of a linguistic audit or follow-up in 1986; because they provide major services to the public across the country; or because they play a pivotal role in the machinery of government.

Of the fifty institutions evaluated in the Report, the following either showed only minor progress or remained relatively unchanged in 1986: Agriculture Canada, Canada Council, Canada Mortgage and Housing Corporation, Canadian Human Rights Commission, Canadian National, CRTC, Environment Canada, Fisheries and Oceans, Indian Affairs and Northern Development, Information and Privacy Commissioners, Marine Atlantic, Petro-Canada, Public Works, Regional Industrial Expansion, the Senate, the administration of the Supreme Court, and Veterans Affairs.

Air Canada's linguistic situation also underwent little change in 1986, but the Company continued to make slow but steady progress in service to the public and deserves special mention for its excellent performance at Expo 86. However, Air Canada management is finding it difficult to give proper priority to its official languages program.

The renewal that began last year at the Office of the **Auditor General** progressed slowly in 1986. Senior management remains sensitive to official languages matters but needs to make middle managers better aware of their duties.

The **Bank of Canada** is maintaining an energetic program of monitoring and innovation. It not only maintained its good service record in 1986, it also launched new activities to promote French as a language of work. The Bank's program is well integrated with other managerial responsibilities and benefits from visible commitment at the top.

The **Canada Post Corporation** appears to have reached a linguistic plateau. Small gains in service to the public and to official languages program management have been offset by lack of progress in the promotion of French as a language of work and a continuing imbalance in the participation rates. To gain better control over the employment, work scheduling and redeployment of bilingual staff, Canada Post should place stronger emphasis on official languages considerations during union negotiations.

Although the lamentable situation reported last year at the **Canadian Security Intelligence Service** persisted through the first part of this year, the Service began

to improve considerably in the closing months of 1986. Greatest progress was made in program management and in communications between headquarters and the Quebec region. Complainants had brought to our attention some 1,700 telexes sent to the Quebec region in English only in the first 10 months of 1986. Very firm directives and stricter controls were subsequently introduced, and the number of such incidents declined considerably.

The Department of **Communications** is slowly recovering from an extensive reorganization which made it difficult to maintain its gains in serving the public in both languages. The Department continued to promote the equitable use of both official languages in the work place by regularly informing all employees and supervisors of their language of work rights and obligations.

The official languages situation in the Office of the **Comptroller General** has changed little since last year. The Office still has a good bilingual capacity but does not provide its services actively in both languages to its client organizations. French is scarcely used in the work place because Francophone representation is very low in the Management category, whose members constitute nearly one-half of the Office's staff. Even though the Office has integrated its official languages objective with its human resources plan, few managers are well-informed of objectives and no measures are in place to control program implementation.

The linguistic situation of **Consumer and Corporate Affairs** has improved somewhat since our last full review in 1981: the Department now provides its services more actively in both languages in regions where there is significant demand and has taken some steps toward achieving full participation for both language groups. Use of French as a language of work is still a stumbling block.

The **Correctional Service** underwent major organizational changes in 1986, but no significant improvements resulted in offering services to inmates in both languages or in improving the status of French in the work place. Overall participation of the two linguistic groups remains quite well balanced except in the regions, where there are serious imbalances, but the Service needs to review its official languages management system to improve efficiency in the implementation process.

On the whole, the Canada **Employment and Immigration** Commission this year remained one of the leaders of language reform at the federal level. Management of the program is good, but even that did not prevent occasional failures to provide service in the appropriate language in certain regions. The Commission is attacking its language of work problems at headquarters in a serious way and the two linguistic groups are fairly well represented overall. Poor planning in earlier years

and current restrictions on external recruitment are, however, making it very difficult to alter the Anglophone participation rate in Quebec, which remains around 2.5 per cent.

Energy, Mines and Resources set up a special ministerial committee to correct participation imbalances, but otherwise made only timid advances in 1986 and is still struggling to meet its linguistic obligations to the public; some 20 per cent of the Department's clientele expressed dissatisfaction on this point. Major disparities in the representation of the two linguistic groups in the departmental hierarchy are reflected in the continuing under-use of French outside Quebec. Francophones represent just under 11 per cent of EMR's management category and, although senior management is able to communicate satisfactorily in both official languages, major efforts are necessary to make headway in improving Francophone participation in this traditionally English-speaking department.

The Department of **External Affairs** made some noteworthy gains during 1986 but still has difficulty encouraging the use of French in the work place and in managing its official languages program. The Department's performance in encouraging use of both languages in the work place was no more than average; many supervisors in bilingual positions do not meet the language requirements of their positions.

The **Federal Business Development Bank** has so far made the most of its bilingual resources, but it could enhance its bilingual capacity by creating clearer language requirements for its jobs. The Bank scored points for its bilingual signage, telephone and personal reception service, and documentation and correspondence with clients. In its efforts to attract new clients, its mail advertising is in both languages and it makes regular use of the minority language press.

The **Governor General's Residence** made progress in serving the public in both languages and in promoting French as a language of work. Rideau Hall has still not developed a precise set of official languages policies and directives, however, although it is committed to doing so by early 1987.

The **House of Commons** Administration again improved its official languages program and has also made moderate progress in providing favourable conditions for French as a language of work. However, some training courses are still not offered in French and French is under-used at meetings even though overall Anglophone participation throughout the organization is still too low.

The Department of **Justice** adopted a new official languages policy in 1986. With few exceptions, service is now provided in the language of the client, the two language communities are generally well represented on staff and, while French

does not yet have equal status with English as a language of work, improvements are being made.

The **National Capital Commission** consistently presented a bilingual image in its signs and publications and provided excellent service to the public in both official languages. However, French is still not sufficiently used as a language of work in spite of the fact that Francophone participation is higher than normal in every occupational category except Management.

The dismal treatment of French at the Department of **National Defence** improved little in 1986. A mountain of English-only technical documents and a multitude of unilingual English incumbents of bilingual positions in the military continued to sap the Department's official languages policy. The most important development in 1986, a new program to create a bilingual officer corps, moves National Defence some way toward linguistic respectability, but there is a long march ahead. It is difficult and often impossible for Francophones to undergo advanced and specialized military training in their own language. On the civilian side, Francophone participation is stagnant at 20 per cent.

This year the **National Film Board** again improved its official languages program. The Board continues to serve the public in both official languages and gives English and French equal standing as languages of work.

National Health and Welfare made significant progress in 1986, but there are a few chronic problems. Service to the public has improved, but bilingual capacity is still seriously deficient in certain regions. French is used as a language of work in Quebec and in a few headquarters divisions, but elsewhere English is the undisputed norm. Francophone participation is low in all regions except in Quebec, New Brunswick and the National Capital Region.

The language situation at **National Museums** of Canada has not progressed since our last review of 1979. National Museums still finds it difficult to provide adequate service to the public in both official languages. French is under-used as a language of work, and the participation of the two language groups is no more equitable than in 1984. Official languages management is clearly not a priority at National Museums.

The past year has been encouraging for official languages at **National Revenue (Customs and Excise)**. In 1986 the Department improved the quality of service to the public in English and French, made some adjustments to its program to enable employees to use either language at work and maintained overall Anglophone-Francophone participation rates at an appropriate level. At **National Revenue (Taxation)** it was a more average year. The Department's capacity to respond to taxpayers' enquiries in both languages was reinforced at several of

its 30 district offices, but little has been done to resolve language problems in the audit and collections programs. Limited progress was made this year in establishing French as a language of work in the Department as a whole.

The **Prime Minister's Office** has taken pains to correct the few weak points noted in last year's Report. Visible progress has also been made in language of work, mainly as a result of improvements in the bilingual capability of supervisors. The **Privy Council Office** also improved its already well-established official languages program in 1986 and is in a good position to address its few remaining participation problems.

The **Public Service Commission** continued to fulfil its official languages duties with ease. Service to the public was actively offered in both official languages, and in bilingual regions employees had the opportunity to work in the language of their choice. No improvements were made, however, in the low level of Anglophone participation in the Administrative Support category. Overall, Anglophones represent only about 37 per cent of the Commission's staff. Another persistent problem is that, although all professional development courses exist in both languages, a disproportionately small number are actually offered in French.

Even though the **Royal Canadian Mounted Police** took a few useful initiatives in 1986, other actions may well delay linguistic equality in the Force. Proposed new policies on participation and language of work seemed ill designed to meet reasonable goals. A decision to aim for a Francophone participation minimum in the 12 to 15 per cent range would dangerously compromise the Force's ability to meet the requirements of the Charter and the Act, notwithstanding the large proportion of RCMP uniform personnel involved in provincial and municipal duties in the West. When the RCMP was called before the Joint Committee on Official Languages to explain delays in implementing the Act, the Committee found its explanations unsatisfactory and asked it to reappear early in 1987. On a more positive note, most new special constables hired to protect embassies and airports are now bilingual. The RCMP somewhat improved its staffing of bilingual positions in 1986. In bilingual regions almost 60 per cent of these were staffed with employees who were already bilingual.

In 1986 the linguistic performance of the Department of the **Secretary of State** was once again almost impeccable, although the overall proportion of Anglophone employees remains unduly low.

As a result of the five-year census, 1986 was a very busy one for **Statistics Canada**. On the whole, it provided good service in both official languages before,

during and after the census period. It also stepped up efforts to make more equitable use of English and French in the work place.

On the whole, the Department of **Supply and Services** conscientiously meets its linguistic obligations toward its clientele.

In 1986 the Department of **Transport** devoted a great deal more time and effort to surveys than to improving its modest performance in official languages. Signage is still a weak point at several airports, and services provided by concessionaires do not meet the linguistic expectations of the travelling public. There has been no progress in ensuring bilingual in-flight safety announcements by private carriers.

The **Treasury Board** Secretariat administers its own departmental language matters reasonably well: it provides service to the public in both languages and an impressive 92 per cent of the 565 staff members in bilingual positions meet the language requirements. On the other hand, there are persistent language of work difficulties, especially with regard to the limited use of French in meetings and working documents, and continuing imbalances in Anglophone and Francophone participation in various sectors.

Via Rail Canada Inc. demonstrated little progress in its efforts to make French a genuine language of work on par with English at its Montreal headquarters and in establishments in New Brunswick. The public has no difficulty obtaining written information from Via in the appropriate language, and telephone information is generally bilingual. But only in Quebec can passengers expect to receive service of equal quality in English and French from station and train employees; elsewhere, Francophone travellers are lucky if they can receive service in their language or can be referred to a bilingual employee.

PART IV. THE MINORITIES: MORE ACTION PLEASE

Minority News

Demographic data from the 1986 five-year census will doubtless confirm that assimilation is still undermining most Francophone communities outside Quebec and will let us know whether migration is having similar effects on the English-speaking population of that province. Clearly there is an urgent need for governments and other players to work together in support of our language minorities.

The relative absence of positive provincial action to offer citizens a greater language choice has been driving the minorities to the courts in search of rulings on their language rights. Invoking the concept of equality before the law set out

in Section 15 of the Charter, some associations have called for wider and swifter application of that part of the Criminal Code which entitles accused parties to be heard by a judge, or a judge and jury, speaking their language. Other minority language issues before the courts were the right to minority schooling guaranteed by the Charter, residuary French rights in Alberta and Saskatchewan, and the possibility of bilingual commercial signage in Quebec.

For years now, Quebec, Ontario and New Brunswick have at least tried to offer a broader range of services in the minority language. Although not legally bound to do so, other provinces, realizing that their Francophone populations are interested in such services, are now considering what could be done. The federal government says it is prepared to develop federal-provincial co-operation to promote a full range of social, health and other essential services in the minority language, but practical efforts in that direction remain fairly rudimentary. Minority associations also had the unfortunate but well-founded impression in 1986 of not being truly consulted on issues directly affecting them, notably on reductions to their government grants.

Translation of Manitoba's unilingual laws is well under way, but may cost as much as $10 million by 1990. This year, Ontario took major steps toward recognizing French as an official language: legislative guarantees of French language services, simultaneous interpretation in the legislature and broad provisions for the use of French before the courts. The Quebec Court of Appeal recognized Quebec's power to pass legislation requiring the use of French in signage and corporate names, but not the power to prohibit the use of all other languages. It found such a prohibition contrary to both the Canadian Charter and the Quebec Charter of Human Rights. The government of Quebec had already let it be known that it intended to soften its position on signage and to review the structures of its language agencies. The bill to consolidate those agencies, along with the the signage issue, helped spark renewed and widespread public debate on the French-English balance in Quebec. In December the National Assembly passed an important piece of legislation which, probably for the first time in Quebec's history, grants English-speaking Quebecers the right to health and social services in their own language.

In New Brunswick the report of the Advisory Committee on Official Languages was tabled in the provincial legislature last June. While the provincial government declared itself committed to doing more to ensure language equality in the province, it nevertheless rejected most of the committee's recommendations. Regrettably, by the end of the year it had still not clarified what practical steps might emerge from the last few years of consultation.

The situation of many official languages communities is obviously shaky and we seem to lack the means to set things right. Some hope lies in the fact that more and more Canadians are coming to realize the urgent need to give concrete form to the linguistic equality so nobly proclaimed in the Charter and in more openness in some governments to collaborative efforts to give the minorities a fighting chance to be themselves.

Radio and Television

For a number of years our minority communities have been critical of overcentralization in the Canadian broadcasting system. Francophones outside Quebec, in particular, have an abiding thirst for French-language programs that reflect their experience and values. This year two events in particular brought good news for Francophone minorities. First, TVOntario announced the creation of *La chaîne française*, and, second, Radio-Canada Atlantique's program "Bonjour Atlantique" was produced in versions adapted to regional realities.

One of the principal recommendations of the Caplan-Sauvageau Task Force on Broadcasting Policy was the creation of a second national CBC network, which would comprise an English channel (TV Canada) and a French channel (Télé-Canada). The Task Force also recommended that the separate character of French-language broadcasting be recognized, but minority groups were cool to the recommendation that local production be concentrated in eastern Canada, a point of view we endorse.

PART V. EDUCATION: MORE PLANNING PLEASE

Second Language Instruction

As a way to teach and learn a second language, French immersion gets results, but, through no fault of its own, it also has a tendency to disrupt more established or traditional educational formats. There are still immersion issues to be researched and resolved: the best age to start; possible effects on competence in the mother tongue; what are the best post-secondary second language options; not to mention how to make best use of acquired skills later in life. The issues of the year, however, were how immersion stacks up against other well-taught French programs and how one or both can best be integrated with other educational components. Immersion accounts for only 4 per cent of the English-speaking students enrolled in our schools — roughly 200,000 children in elementary and secondary classes. For most other students, a core program remains the only available method for learning French. Parents, teachers and students are becoming more aware that there may be worthwhile alternatives to the Sorcerer's Apprentice solution of endlessly escalating immersion.

Quebec's French schools are debating a different question. There is no such thing as an "English immersion program" for the Francophones of Quebec. The next best thing is the Enriched English Program, in which courses in English account for roughly one-third of the curriculum. A move to introduce core English to French students in grade one instead of grade four attracted both ardent defenders and vehement opponents. The possible impact on enrolments in various school districts was as much a factor in the debate as the pedagogical or cultural appropriateness of starting English at an earlier age.

We strongly urge the federal and provincial authorities to take advantage of the coming renegotiation of their official languages in education agreements to review the balance of funding to different aspects of this program and to cosponsor the urgently needed research and planning that alone can prevent an undignified and fruitless free-for-all and promote orderly progress toward language equality in the area of education.

Post-Secondary Education

Canadian universities are beginning to recognize that they must respond more effectively to the needs of two groups for post-secondary education in French: Francophone students outside Quebec and Anglophone graduates of French immersion.

The more pressing of the two needs is to provide post-secondary opportunities for Francophones in their own language. Anglophone students, on the other hand, are looking for courses taught in French to improve their knowledge and to prepare themselves for jobs where bilingualism is an asset. It is essential to understand that identical programs are unlikely to be of equal benefit to both groups. Francophone students can benefit most from instruction wholly in French in a predominantly French environment. Immersion graduates need ways to maintain and develop their French skills as they move toward the job market. Young bilingual Francophones outside Quebec may, because of their minority background, be more amenable to mixed post-secondary instruction, but this is less than ideal.

A meeting on French post-secondary education sponsored by Canadian Parents for French last March concluded that the needs of the Francophone community must come first; that there is a need to inform and encourage eligible secondary students with regard to post-secondary opportunities; and that improved teacher training and university funding are of the essence. Let us add that co-ordinated federal-provincial research and planning are no less vital and that Canadians are getting impatient with the slowness of the two levels of government in getting their act together.

APPENDICES: Appendix A explains how the Commissioner's Office responded to the challenge and suspense of this particular moment in the history of Canadian language reform. Appendix B tells of an important Canadian contribution to international co-operation in language planning.

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COMMISSIONER OF OFFICIAL LANGUAGES
COMMISSAIRE AUX LANGUES OFFICIELLES

ANNUAL REPORT 1986

Promise of Renewal: Year of the Test!

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COMMISSIONER OF OFFICIAL LANGUAGES

COMMISSAIRE AUX LANGUES OFFICIELLES

ANNUAL REPORT 1986

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The Speaker,
Senate,
Ottawa

Mr. Speaker,

Pursuant to section 34(1) of the Official Languages Act, I hereby submit to Parliament, through your good offices, the sixteenth Annual Report of the Commissioner of Official Languages, covering the calendar year 1986.

Yours respectfully,

D'Iberville Fortier
Commissioner of Official Languages

March 1987

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House of Commons,
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Preface

> "English and French are the official languages of Canada and have equality of status and equal rights and privileges as to their use in all institutions of the Parliament and government of Canada."
>
> Constitution Act, 1982, Section 16 (1).

Our first wish, as we enter 1987, is that Canada's linguistic duality be made stronger as a result of Government's commitment to renewing our national language policy. Some may ask what more is needed: after all, the equality of English and French in federal institutions has been proclaimed by the Official Languages Act and confirmed by the Canadian Charter of Rights and Freedoms, and considerable improvements have been made in several areas. To put it quite simply, the answer is that we want Government to adopt a more creative, future-oriented vision and to take the necessary legislative and administrative steps to move us more systematically toward genuine equality for English and French. Next fall's summit meetings of Francophone countries in Quebec City and of Commonwealth countries in Vancouver would then both confirm our national commitment and further extend it into the international arena.

It should come as no surprise that some of the pizazz has gone out of a 17-year-old program of socio-political reform. To give it fresh life, we need to look again at the spirit, the legal foundations and the mechanics of it all — especially since, in the past four or five years, slow progress has become virtual stagnation and, here and there, slippage that bodes ill for the future.

But, if the basic goals have been met, why should we go on pressing for renewal and seeking an ever-elusive perfection? First, because our government and a significant majority of Canadians continue to view the equality of our official languages as "vital to our national character and identity" and as something worth translating into concrete fact; and, second, because as our own studies and reports repeatedly show, the basic goals have not always been met — with respect to the choice of language of work in bilingual regions, for example. So we are still a good way from translating equality into concrete fact.

The reasons that were valid 20 years ago for establishing a new set of rules to express the partnership of our two major language communities are just as valid today. Who can seriously doubt that language reform helped keep Canada together

at a critical time when the integrity of our country was seriously threatened? In the same way, the much-awaited renewal could well bring us closer together as the federal and provincial governments grapple with the fundamental task of bringing Quebec back into the constitutional family. Let her thus be invited to a more convivial table.

Every day my colleagues and I get a chance to reflect on the idea of equality which is our professional raison d'être. Lafontaine has a fable on this topic that we should never forget, whether we be Anglophone or Francophone. The iron pot, travelling with his friend, the clay pot, promised in all good faith to shelter his companion. Yet they had gone no distance at all before the clay pot was accidentally shattered by his friend "before he could so much as complain". Moral: It takes more than good faith to protect a weaker vessel; better precautions should have been taken. The French language has deep roots in Canada but, travelling alongside English in North America, it finds itself prey to the same dangers as the clay pot. Unless we are careful, some of our minority groups may share the same fate.

Moreover, as shown in the report on Anglophone participation in federal institutions in Quebec that we presented to the Governor in Council in January 1987, English-speaking communities may also be affected. The equality we defend works both ways. It respects the public's right to remain unilingual English or unilingual French. Why then should that equality have to accommodate itself so often to a lack of enthusiasm on the part of many politicians and public servants whose job is to protect and serve it?

As this Report will show, we have continued to carry out our mission of observation and analysis as carefully as possible. Not without some impatience, of course, especially given the obvious slowdown that my predecessor had already noted before the present government came to power. Increased delegation of authority to individual institutions, without benefit of adequate monitoring or accountability, had tended to compound a significant decline in the resources allocated to language reform, especially payments to the provinces for official languages in education. Apparently exhausted by the major constitutional decisions of 1981, the previous government, too, had shown little inclination to play the leadership role vis-à-vis the provinces and the private sector which is so indispensable to our minorities.

Having advised the new government of this situation in our 1984 Report, where we suggested a number of ways to enhance official bilingualism and protect our minorities, we had hoped that, without waiting until the necessary in-depth review was completed, immediate instructions would be given to step up the pace. This was not the case. Some praiseworthy initiatives were taken and some components of the program were, as this Report shows, the subject of new decisions, but it seems to us that the latter flowed more from a legitimate concern for improved productivity than from a desire to make substantial new strides toward equality.

The system as a whole tended to mark time. As Vauvenargues observed, "One should not suppose that equality is a law of nature." The gap between good intentions and action has simply continued to grow.

Although the press reported in December that the use of French in the Commons had increased since 1984 from 10 per cent to 17 per cent, there was little comfort to be found on either the judicial or the minority fronts, with the notable exception of Ontario.

Nevertheless, there are good reasons to remain hopeful. In some respects, public opinion appears to be outrunning the response of both the federal and most provincial governments. That, at least, is my conviction after travelling across the country and taking part in a number of radio hot-line programs. More detailed expert analysis of data from our major public opinion survey in the fall of 1985 has confirmed our initial conclusions: Canadians increasingly recognize both the reality and the obligations of our linguistic duality. The findings are even more striking where young people are concerned, as witness the continued growth in and demand for French immersion. And, while some may argue that public opinion is fickle, I prefer to believe, as do Stacy Churchill and Anthony Smith, that "Official bilingualism will remain a symbol, revered for the unity it has created, but feared for the discord it may still engender. Yet the fear of this discord is now to a large degree based on myth."[1] As Norman Webster of the *Globe and Mail* has said, commenting on the same survey: "The revolution is over and it is time for the dull details of housekeeping. Canadians are pretty good at housekeeping. Let's get on with it."[2]

Parliament's Standing Joint Committee on Official Languages has demonstrated a lively interest in the problems of our minorities and in the activities of federal institutions; it has already started to follow these issues much more closely and is committed to doing so in the future. Lastly, we know that, under prompting from the Prime Minister, whose personal commitment has never been in question, the Minister of Justice, the President of the Treasury Board and the Secretary of State, together with their senior officials, have devoted a great deal of effort to developing a new draft Official Languages Act which should be tabled in Parliament in the near future. It seems likely that the bill will define the idea of language equality more precisely and rigorously, provide guarantees to our minorities, and state the terms of reference for a broad-based linguistic policy meaningful to all concerned.

We naturally hope that the new Act will also reflect the various suggestions we have made, as we are specifically invited to do by the 1969 Act, and that its adoption will be followed by regulatory provisions framed in the same generous spirit and an energetic implementation program backed by sufficient resources. This last point cannot be overemphasized. While ensuring adequate funding is

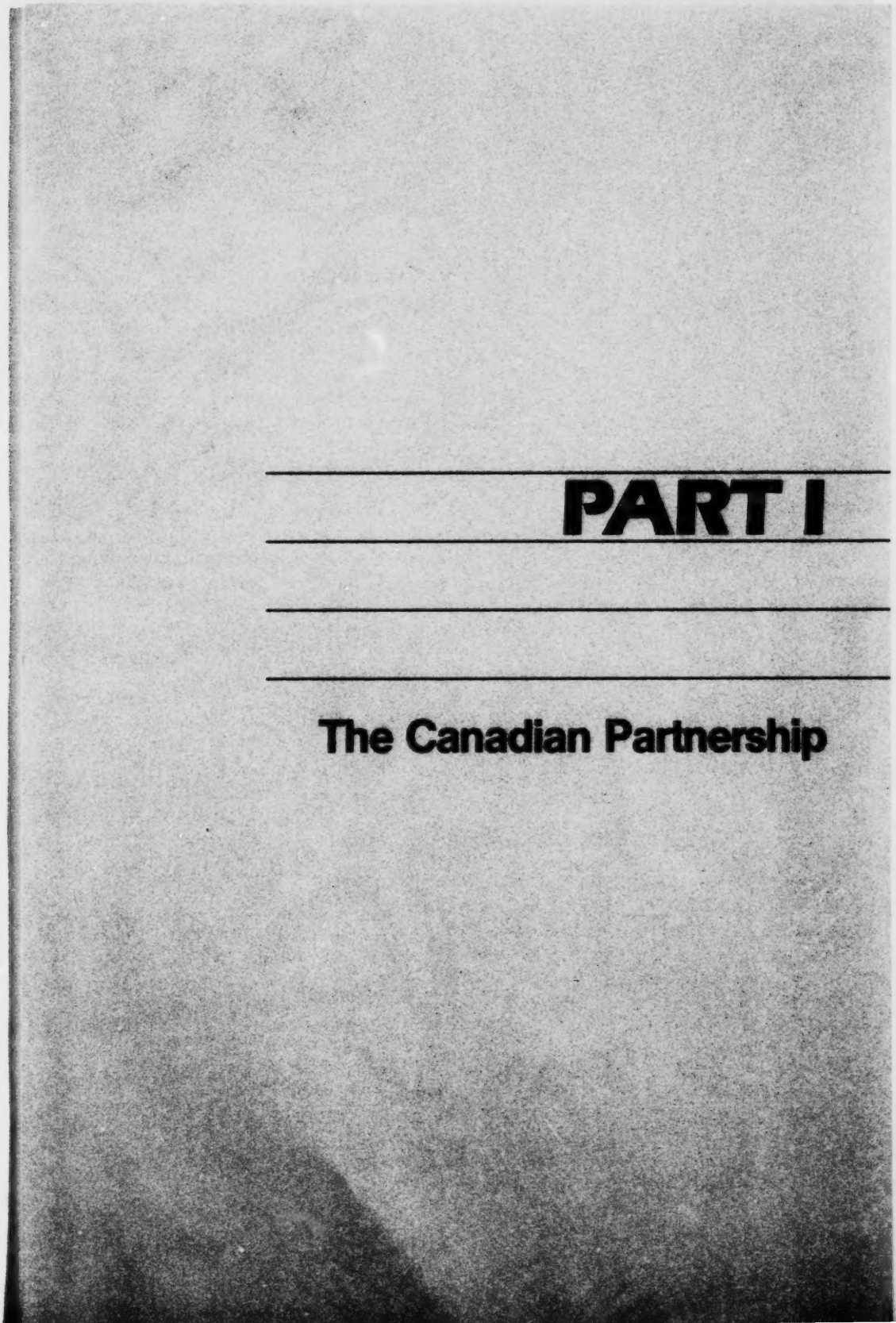
[1] Preparatory notes for the article in *Language and Society*, No. 19, April 1987.
[2] *Language and Society*, No. 19, April 1987

bound to call for great determination on the part of a government seeking, above all, to reduce expenditures, it will also prove the measure of Government's true priorities. What, after all, could we reasonably expect of a social vision of Canada that was treated no better, financially, than an item of routine administration?

We also trust that this Report, the fruit of redoubled efforts by my Office in 1986, as well as our past and future reports, will contribute to genuine renewal on all fronts and with all partners. Renewal will offer its full benefits only if our fellow Canadians give it the support such a truly national undertaking deserves. Nineteen eighty-seven is shaping up to be the year of the test — and not simply for our federal government. We hear much less these days about national reconciliation; it is time to put it back on the agenda.

As we write, we have learned of the death of Davidson Dunton who, along with André Laurendeau, Jean-Louis Gagnon, and their colleagues on the Royal Commission on Bilingualism and Biculturalism, were the inspiration for a new and better balance between our language communities. We join with all Canadians in voicing a great debt of gratitude for his exemplary contribution to our country.

D'I.F.



PART I

The Canadian Partnership

Megatrends in Bilingualism: Signs of Life

Appearances to the contrary, no important national question ever entirely shuts up shop, and we intend to argue that Canada's official languages question is as important, as national and as urgent as it has ever been.

We are, as usual, reporting to Parliament and the Canadian people on how we see the 1986 activities of the federal government — and of other governments and groups — as part of the general quest for a more contented and productive family relationship between English and French in Canada. Nor can we dissociate that relationship from the many other linguistic, cultural and economic forces that make up Canada's search to fulfil her potential. But first, a few words on where federal action stands in relation to the overall socio-cultural dynamic of contemporary Canada.

The English-French relation is, of course, one of the oldest and most powerful dynamics this world has seen. As only long-time neighbours can, these cousin languages and peoples have feuded and intermarried for centuries. The only thing they have never been is culturally indifferent to one another. So from the standpoint of well-meaning governments, anxious to keep the peace, they occasionally get to be something of a handful. The question facing Canadians today is whether we can steer our two linguistic communities a bit closer to the Entente Cordiale which is their warmest and most useful relationship, or whether we will succumb to our own demons of linguistic tribalism.

Cultural identities and free trade

The relationship of Canada's linguistic and cultural policies to our sense of a distinctive national personality was, without being an immediate agenda item, obviously an implicit accompaniment to several topics that were raised as part of the free-trade preliminaries. Indeed, once one starts to take the broadest possible view of the free flow of cultural and economic goods between sovereign nations, and to tie it in with their respective population characteristics and distribution of political powers, there is hardly anything from book tariffs and film dubbing to fish quotas and auto pacts that cannot assume a linguistic dimension or affect relationships between the two principal linguistic partners. Even if we had no

better reason for reaffirming our cultural values, this would seem a good time to ensure that Canada's appreciation of her unique linguistic heritage and potential is clearly and confidently asserted.

General evaluation

To the basic Canadian question: "How are we doing, eh?", the best answer for 1986 would probably be a wry: "Could be worse." What we find in our linguistic consulting room is a rather anxious patient, alternately feverish and sluggish, who seems not entirely sure whether things are on the mend or getting worse. The specialist reports we receive from the central agencies speak of a program "in transition", which would be a fair enough description if only we felt a little more certain what this particular change of life was going to produce.

Public statements about what to hope for, after almost two years of grim gestation, are mainly to be found in some ringing but characteristically unspecific Throne Speech references ("...indispensable feature of our national character", and so on) plus two or three ministerial forecasts which seemed to reflect a strong desire to do good, and a powerful vision of the possibilities, combined with some noticeable uncertainty about where to start. There was a great deal of analysis and planning in the backrooms of the Privy Council Office, Justice, Treasury Board and the Secretary of State's Department. Occasionally, too, there were bulletins promising a revised Official Languages Act which would "establish a new legislative context, conforming to the requirements of the Charter, but within which the Government will be able to revise its policies in this area",[1] or a "new global official languages policy [which] would aim to increase provincial and municipal services [in the appropriate official language] in all areas: education, health, leisure, social and cultural services and even in the private sector".[2] But these were hardly better than interesting odours from the rich man's kitchen for the many hungry people gathered at the gate.

Along with these ambitious menus came periodic flyers to the effect that a new Official Languages Act would be ready by the fall, before Christmas, in the spring. . . would you believe the current session, until the process of program renewal began to take on the tantalising mythopoetic aspects of a linguistic "Dallas": is Bobby Bilingualism really dead or will it all turn out to be a bad Parliamentary dream? The exact reasons for these delays are unclear. But, even if they were entirely justifiable or unavoidable, they did little to help either the day-to-day running of official languages programs in the public service or co-operative projects with non-federal players. Very honourable exceptions to this low-key trend were the major federal contributions to a totally French channel for TV Ontario and a new French daily newspaper in New Brunswick, the auspiciously named *Le Matin*.

[1] Address by the Honourable Ray Hnatyshyn, Minister of Justice, to the Association of French Speaking Jurists of Ontario, October 31, 1986.

[2] Address given by Mr. Aurèle Gervais, M.P., on behalf of the Secretary of State, the Honourable David Crombie, to the Institut Franco-Ontarien, October 3, 1986.

Some procedural changes were introduced in the federal domain itself: in the productivity rules for translation, language training and the bilingualism bonus, for example; and there was a sprinkling of relatively routine or isolated initiatives in areas such as internal official languages auditing or the official languages aspect of international events. All of these things have their usefulness, but central agency efforts to promote the equality of the two official languages "in fact as . . . in law",[1] were, if we may say so, pretty small beer in relation to the deepening urgency of the needs or as a suitable prelude to more significant changes to come.

Factual equality in federal institutions

With some honourable exceptions, the typical federal institution did little better than hold its own in 1986. The few important gains in the factual equality of English and French were more attributable to individual initiatives than to any promotional drive transmitted by the Treasury Board Secretariat. There was, as we have indicated, some excuse for the Secretariat's preoccupation, but the negative effects of its neglect will take time to mend, and time will always be a critical factor in this program. The battery of official languages expertise in many federal institutions, including that of the central agencies, has also been run down to a dangerous extent, making it that much more difficult just to restart the engine and keep up the revs. Honesty compels us to point out that we have drawn attention to this disgregard for the essential human machinery of official languages advancement for at least half a dozen years now. Our best hope must be that the resulting losses in productivity will finally have provided a good lesson for the future.

Revising the Act

But there were *some* encouraging signs in 1986. As a first step toward renewal, Government has attached great importance to remodelling the Official Languages Act before retooling the various operational systems. (For a more detailed reading of what became of the "more vigorous implementation" of the existing Act that was projected in November 1984, see Part I, Chapter 3.) What matters now is to aim for a renewed Official Languages Act that will genuinely transmit and enlarge the virtues of the old Act but not encumber it with so much fine print that we end up fostering unnecessary litigation rather than attitudes of mutual respect and an enlightened enjoyment of our common good. This will call for feats of statesmanship and administration of a high order, and the proper response from anyone interested in a successful revitalization of Canada's linguistic and cultural policies must be one of steady and sympathetic support.

The first weakness of which the 1969 Act stands accused is that neither the total purpose nor all the specific meanings of its opening declaration that English and French are "equal" are made sufficiently explicit in the body of the Act. The second criticism is that, by entrusting its progressive application largely to the interraction of a Parliamentary ombudsman, the Commissioner, with the central

[1] Speech from the Throne, November 1984.

agencies and institutions of the federal government (a Standing Joint Committee on Official Languages was not foreseen at the time), the legislator has deprived the law of appropriate enforceability. Most interested parties would agree that these are the two most important issues to be resolved in a revised Act. Opinions vary substantially, however, on how best to achieve those goals.

Enforceability

We discuss notions of equality below, but would like to enlarge first on the concept of enforceability as it might apply to official language rights. Simply put, the term means that those who feel their rights have been offended should have legal recourse to a body capable of providing, even compelling, appropriate redress. Insofar as the Commissioner of Official Languages has only an ombudsman's power to recommend corrective action, Canadians who are dissatisfied with the pace of language reform may feel that the fault lies in the lack of a judicial recourse that would command action where the Commissioner must negotiate and persuade. Our own recent attempts to test our powers under the present Act to their limits are discussed on page 25. The questions to be addressed here are more general. By what measures are we to judge whether an Act of this kind is producing the optimum degree of change, given all the other socio-economic and psychological circumstances of the day? And, to the extent that we can agree that it is not, what are the explanations and possible solutions that Parliament should consider?

Having submitted many specific amendment suggestions over the years, we would like here simply to summarize our professional opinion. The more one lives and works with the Official Languages Act of 1969, the more one realizes that, all things considered, it has helped make possible many important and necessary changes both of institutional behaviour and of public awareness. Yes, it now seems a bit short on conceptual scope, and of course there have been inefficiencies in its application, ours among them, but as a guiding legal ideal in uncharted waters it has served us relatively well. It now mainly needs the sort of constitutional contextualization of which the Minister of Justice spoke last November, to establish its relevance not just to federal services but to the Canadian linguistic partnership within the federal administration, and to the many other sectors and individuals of our society whose future is inextricably bound up with those of English and French in Canada and around the world. It also needs formally to incorporate the interpretation of English-French equality that was set out in the unanimously adopted Parliamentary Resolution of 1973. That Resolution made it very clear that, in the opinion of the Canadian Parliament, language equality comprises three things: the right of members of the public to be served in their own official language; the right of federal employees to work, within reasonable limits, in the official language of their choice; and full participation in the Public Service of both English-speaking and French-speaking Canadians. Firm assurances of support for our Anglophone and Francophone minorities across Canada are also required, as is some way of ensuring prompt enforcement of the Act when other means have proved inadequate. The overriding question remains what it has always been: to clarify to public view what, in our best judgement, is the most plausible

approach for achieving a workable and worthwhile English-French accommodation as a foundation for Canada's future development.

Notions of equality

There will always be a danger of reading into the Act's proclamation of "equal status" for English and French an absolutist requirement that what one language does or can do, the other must also do or be able to do. What our national language policy is about is not "unity" of that kind but the degree of mutually supporting complementarity and sharing of prerogatives and duties that the market can best bear at any given time. This will always be a much trickier algebraic calculation than the equals sign suggests, but, provided we each interpret our linguistic partnership in this sense and as consistently and self-confidently as possible, a sound working relationship will be doubly constructive: the more we help each other, the more we help ourselves. Let Canadians repeat to themselves each day the mantra that, in language law as in life, "equal does not mean identical", and we may not go too far wrong.

The role of the courts

One interesting by-product of the present state of language law in Canada has been a record case load for the courts. (It is, however, important to note that none of these cases is directly related to the Official Languages Act.) As more and more provinces and their linguistic minorities have taken stock of their constitutional, legal or conventional language rights, demand has grown for learned views on what obligations are thus created and what are the best ways of settling differences of interpretation. In many recent cases, judicial judgments have tended to conflict, with the result that the legal stakes get raised another notch, and the chances increase that the Supreme Court will be called upon to decide the issue. The decisions which the Supreme Court and other courts delivered in 1986 are discussed in the following chapter. The point of interest here is simply that the courts are too often being asked to resolve disputes that could probably be settled more humanely and less expensively, given sufficient good will and open-mindedness on the part of governments, by a greater reliance on discussion and negotiation between the parties, and in the presence of a disinterested arbiter if necessary.

The provinces and other players

While the federal government spent much of 1986 reviewing its options and sniffing the winds of change, other actors on the language scene all but stole the show. In the hands of a new administration, Ontario's traditional gradualism turned out to be the "sleeper" of the year, not only delivering new legislative guarantees of provincial services and educational facilities in French but doing so with all-party support and in ever closer consultation with its Franco-Ontarian minority. Applause is in order.

Quebec, after a relatively quiet start, had a more turbulent year, climaxed by a pre-Christmas decision by the Quebec Superior Court that the province's French-only requirement for commercial signage was contrary to both the Canadian Charter and Quebec's own Charter of Human Rights. Neither our own very real concern for the future of French in Canada and in Quebec nor the sometimes

acrimonious public debate over bilingual or unilingual signage should be allowed to obscure the legitimate claims of English-speaking Quebecers to receive appropriate institutional recognition for their own language. We see no healthy long term future in measures that seek to protect and promote French by diminishing practical recognition of Canada's other official language. We therefore rejoice that new legislation adopted in Quebec will henceforth guarantee for the first time the delivery of health and social services in English. What we saw in 1986 were symptoms of renewed anxiety in both Anglophone and Francophone communities. There is perhaps no *ideal* answer to questions of language balance, but there are accommodations among people that present a better fit among their respective interests than do others. We are hopeful that such accommodations will be found in due course on the basis of open-mindedness and good will.

The problem at this time is how to arrive at an honourable constitutional accommodation between Quebec, the federal government and the other provinces, one which would allow the heartland of French Canada to make its fullest contribution to the national family without sacrificing anything that could be vital to its unique sense of self. Given the way our system works, the present balance and distribution of political parties and powers and, in general, a highly charged national and international scene, one is bound to wonder how long it will take for a constitutional reconciliation to be worked out. On balance, however, we read this juncture as a great, if difficult, opportunity to do ourselves some good rather than an invitation to defeatism. If Canada is ever to be a single institution, in the sense that a family is a single institution, then Quebec's cultural specificity, and not just its French specificity, is something we should accept not grudgingly but gladly, and in exactly the same spirit as we accept the many other strains that have gone, and continue to go, to make up the great paradox which is Canadian Identity.

New Brunswick and Manitoba

New Brunswick and Manitoba, each in its own way a bilingual province, pursued their own particular patterns of implementation in 1986. Presented with yet another advisory report on possible changes to the province's Official Languages Act, the New Brunswick government decided, in the event, to do nothing new or drastic until after the next elections. While, in one sense, this resolves nothing, the resulting breathing space has left everyone some room for reflection on the often stormy family scenes of recent years. Changes there must be; the province can hardly continue to present itself as Canada's only officially bilingual province while continuing to harbour some obvious inequities in the treatment of its two linguistic communities. Manitoba, for its part, continued to translate the backlog of provincial laws published only in English, while quietly appraising possible ways of bringing some government services to Franco-Manitobans in French. It was, however, a decidedly slow year and, here again, the pace of change will have to pick up considerably if the province means to be true both to its origins and its sense of justice.

Progress toward factual equality for English and French in the other provinces and territories, while not great, was not entirely without signs of future promise. The federal government showed itself ready to spread a little financial fertilizer on such worthy projects as a Francophone community centre in Nova Scotia or an entire official languages program for the Northwest Territories. There is still plenty of work to be done, however, to bring these and similar joint undertakings to fruition. Groundbreaking exercises are essential, but they are going to need even more policy co-ordination, more collective investment of resources and more old-fashioned elbow grease all round.

Minority education rights

The area in which the need for a thorough complementing of federal and provincial efforts is most urgent and most clear-cut is the area of minority official language education. In 1981 our very own Charter of Rights gave eligible parents the right to have their children educated in English in Quebec[1] and in French outside Quebec, including the right, "where the number of children so warrants, to have them receive that instruction in minority language educational facilities provided out of public funds" (Section 23).

Five years later that right remains largely unrealized in many provinces and territories. The 1986 census will no doubt show that, in good part for lack of education in their language, our minorities are still losing numbers at alarming rates. Minority parents have knocked on all the appropriate provincial doors without much success (except, to some extent, in New Brunswick, Quebec and Ontario) and are, in several instances, expensively embroiled in legal cases to have the authorities do their plain constitutional duty. Efforts by this Office and the federal government to have the provinces share in a common effort to resolve the very real but not insurmountable administrative problems of applying Section 23 have so far encountered only severe jurisdictional hearing problems. We regret to have to say that this apparent deafness is becoming a major blot on Canada's concept of herself as a decent, forward-looking country that can give lessons to the world in ethnolinguistic tolerance and political self-respect. Not so, alas. Self-respecting Canadians should sorrowfully but politely tell their provincial leaders that, with the partial exceptions noted, they are letting us down.

Public perceptions

We observed last year, on the basis of public opinion polls, that Canadians are better disposed than ever to the underlying philosophy of a bilingual Canada. Other polls carried out in 1986 have confirmed those trends; what people ask of governments is to present some clear, workable floorplan for linguistic good neighbourliness with which they can sympathize and identify. The Commissioner spends a lot of time on the road conferring with Canadians of all sorts, a linguistic "man in motion", so to speak, as well as maintaining a small but effective network

[1] Quebec has yet to sign the Charter, but the courts have ruled that it is nonetheless bound by this provision, and, in effect, the province respects the constitutional rule to a greater extent than almost any other province at this time.

of listening posts *a mari usque ad mare*. Our contacts with governments, the private sector, associations and individuals of all kinds lead us to believe that the public's wishes have more than begun to register and that most major players now have a better understanding of their respective roles.

Private sector initiatives

It is impossible to contemplate revising the Official Languages Act without at least asking whether such a law should apply to the private sector, to what extent, and how it could best be implemented in that context. Over the years, this Office has made its share of suggestions for achieving a better fit between the language performance of the public and private sectors, but nothing much has been decided or done. Federal legislation in this area is almost entirely limited to the packaging and labelling provisions of various acts, but there is nothing in law or regulation, for instance, which obliges private air carriers to make even safety announcements in both official languages. Is this the way things should be in an officially bilingual country, and, if not, what are we supposed to do about it? We continue to believe that there is more that could be done, either through the Official Languages Act itself or through relatively small changes to other federal laws, to empower Government to formulate some basic standards for ensuring that neither English- nor French-speaking Canadians are placed unfairly at risk for want of suitable language guidelines, particularly in the areas of health and safety.

In 1986, however, we focused most of our attention on two or three other questions: how institutionally bilingual are the private and voluntary sectors, and in particular their national associations; why and in what ways are they becoming more bilingual; and what sorts of government assistance do they find most attractive and useful? Based on our ongoing investigation, the preliminary answers were that they are more bilingual than one might expect, that they have become so mostly because, and to the extent that, they see the corporate advantages for themselves, and that they are very interested in developing their own linguistic performance standards, with assistance from Government, and in sharing related expertise and technologies. This is a heartening trend, and Government has already shown a readiness to sweeten the pot. More power to both parties, but let us also remember that a bilingualism policy is one thing and delivery of service at the local level often something quite different.

Other languages

As we said above, Canada is a paradox: one general but nonetheless distinctive culture emerging gradually out of, and coexisting with, two principal and a variety of other cultural traditions: less perhaps John Porter's cold and fragmentary mosaic and more what David Suzuki might call a vigorous hybrid. We have, therefore, chosen to build this country around the paradox that the Canadian cultural whole will mysteriously be greater than the sum of its parts. Among the most important but problematical characteristics of the body in question is its rich endowment of languages other than English and French. The question for all Canadians whose main linguistic bloodline is not English or French is to know what sort of legitimacy their country attaches to their particular language — or languages. The thing to

keep in mind is that no one is linguistically "simple" anymore than anyone is ethnically "pure"; even if we only speak in two dialects or three registers of the same language, every one of us remains, at best — and for our own good — a linguistic blend. But we do have some choice, both as individuals and as a society, in the best blending for our condition and purposes.

Canada has proposed to itself the enigmatic formula of multiculturalism within a framework of official bilingualism. We take this to mean, more specifically, that we intend to maintain and foster languages other than English and French, but that we do so in the expectation that "good Canadians" will also and fully associate themselves with one or both of our official languages, and with *their* respective and substantial cultural contributions to the Canadian whole. But, like everything else, cultural truisms have to translate into realities, and into some implacable individual and administrative choices. Some of these are becoming acutely present in today's Canada: on the one hand, our cultural mix continues to grow and change as a result of our renowned openness to others; on the other, we are becoming a very rights-conscious society with a not always disciplined awareness of the latest lobbying tactics. In this broad context, and in full knowledge that not even Canada can be everything to everybody, we must here repeat four main messages.

- Canada as a whole has, and can afford to have, only two official languages.
- Other languages may legitimately aspire to be preserved and encouraged at more local levels. There will always be a point, however, at which that interest must merge with the larger, national linguistic scheme — at least if we hope ultimately to become and remain one nation.
- Canada's other languages — and more notably our Native languages — have a place *within* our educational systems, and the dimensions of that place must be carefully worked out with the other linguistic interests concerned, and that includes English and French.
- We cannot expect new Canadians to come to identify as much as possible with either or both official languages traditions so long as we deprive them of adequate means of acquiring those languages; we are not in the business of brain-washing our immigrants into linguistic conformity, but we absolutely must give all of them, women as well as men, the means to learn effective English or French, or both; this too is a joint federal-provincial responsibility, but one in which we should expect the central government to set the pace; and at the moment that pace is lamentably slow.

Joint Committee

Parliament's Joint Committee on Official Languages had a good year, taking in as it did sessions on the aims of a renewed Official Languages Act, a broad review of the issues in linguistic demography and education, and some short snaps at the heels of recalcitrant institutions. This reflects a growing awareness in this new Parliament of the full political, economic, cultural and administrative

ramifications of Canadian bilingualism. Indeed, it probably mirrors a broader public appreciation that our national language policy — for that is what we are talking about — is not a matter for spasmodic, specialist attention but one of the most critical threads in the fabric of our country. It is noteworthy in this regard that the use of French in the House of Commons has markedly improved in the last two years, from about 10 per cent to 17 per cent according to a recent survey of Hansard and other sources. This is certainly a better if still imperfect reflection of a body which is over 26 per cent Francophone.

Although Canada's internal communication links seem to get shorter by the minute, Canadians still have a hereditary tendency to forget just how linguistically varied this country really is. It always seems to come as a surprise to many of the people to whom we speak to realize that well over half of French-speaking Quebecers consider themselves unilingual and that among English-speaking Canadians in general only about 8 per cent think of themselves as bilingual in the official languages. Even if our linguistic disparities were no greater than that, and in practice they are much more complex, we would still be wise to give all aspects of linguistic accommodation a very high priority on the national agenda. We look more closely on page 32 at how that priority now translates as a portion of the total federal investment in Canada. Suffice it to say here that, although we recognize that, in absolute terms, Canada spends large sums in pursuit of linguistic harmony, relative to our total family budget we currently spend a lot less on this item than on any other comparable priority. Of course there are ways in which even the existing resources could be better allocated among competing needs, but it is even more apparent that we are in grave danger of short-changing ourselves in terms of the overall investment.

We have made this statement repeatedly and publicly, as well as in talking and writing to Government. If anyone can show us how Canada could, even on a quite modest scale, make good her national linguistic ambitions without a substantial new and longer term investment, we would be happy to offer them space in our *Language and Society* review. In the meantime, we hold to our own opinion and take this opportunity to caution Government that a revised legal context and a revamped program structure are only part of the promised land. At present, we can catch some interesting glimpses of a truly bilingual and multicultural Canada, but 1987 is going to be a severe test of our determination to get there.

Language Rights: In or Out of Court?

The best constitution in the world cannot replace the will of politicians and the desire of citizens to live together in peace, dignity and mutual respect. It cannot sketch in more than general terms the goals of a state. As sociologist Raymond Breton noted in a study done for the MacDonald Commission, a constitution provides "a context in which individuals look for their symbolic interests. . . a system of opportunities. . .". This is the situation of language rights in Canada, particularly those set out in the Constitution Act, 1867, the Charter of Rights and Freedoms, and in other constitutional documents. They are very often no more than potential rights which remain to be realized. In this regard, court decisions are no substitute for constructive political, administrative and community action.

During our first century as a nation, the courts were often asked to clarify the nature and broaden the scope of certain language rights, in particular those set out in various constitutional statutes such as the Manitoba Act, 1870; more recently, they have been asked to examine other legislation, including the Official Languages Act and Quebec's Charter of the French Language. Other laws, such as the North-West Territories Act, 1891, also contained provisions on language rights, and the debate concerning the scope and constitutionality of the rights and obligations they place on Alberta, Saskatchewan and the Territories — particularly with respect to the administration of justice — continues unabated. It is still not clear, for example, whether it is up to the territorial government or Ottawa to ensure that the language provisions of the Constitution Act, 1867, and the Official Languages Act are applied in the North. What is clear from the major decisions brought down in 1986 is that all these questionings often tend to be a substitute for action.

This chapter first analyses three major 1986 Supreme Court decisions, and then discusses two key sectors of language reform in 1987: language rights in the courts, particularly those relating to criminal proceedings, and minority language education rights. Our conclusion is that there is a need for increased federal-provincial co-operation to give full meaning to the reforms of the past 20 years, a need to help the provinces and municipalities that wish to do so to provide

appropriate services — particularly in the fields of health and social services — in both official languages. Readers will find a summary of major language-related court cases at the provincial level in our chapter on the minorities (Part IV).

A French version of the Constitution

We were pleased to note that the Minister of Justice had tabled in the House of Commons at year's end the French version of a substantial part of the Constitution (the Constitution Act, 1867, and its 14 acts of amendment) for adoption by proclamation of the Governor in Council under the Great Seal of Canada. We hope that Parliament and the provincial legislatures will approve these important documents as soon as possible so that Canadians can at last have the official French version at their disposal.

Amendments to the Official Languages Act

Another of our cherished wishes is that the changes soon to be made to strengthen and improve the Official Languages Act will, as the Minister of Justice suggested in October, provide a new legislative framework for co-ordinating our language planning strategy. The amended Act should at the very least help to settle a number of unresolved issues: the status of the Act itself vis-à-vis other federal legislation; the use of English and French as languages of work in federal institutions; the types of recourse possible in cases of infraction; and the obstacles in a number of provinces to the use of both languages in criminal law and proceedings.

The Year in Brief

Last year we noted that litigation, no matter how justified, is a lengthy, costly and uncertain business. The nature of this year's court challenges, the slow settlement of cases still pending, and differences in opinion between judges and between jurisdictions by and large confirmed our worst fears. In any event, 1986 convinced us that the Supreme Court of Canada has no intention of being drawn into creative interpretation. We are thus obliged to conclude once again that, while judges may sometimes protect language rights, the principal promoters of those rights must still be the people involved in political action at various levels. As Professor André Braen has put it in *Les droits linguistiques au Canada*:

> Language guarantees have no existence unless recognized by government; to take effect, they require government intervention. The introduction of language guarantees therefore presupposes a change in the relationship between government and those it governs. This type of interventionism is not new, but is nevertheless essential to the recognition and exercise of language rights.

It is thus increasingly clear that our governments must make a concerted effort to establish specific objectives in this area, both to strengthen the language rights of Canadians and to implement them.

Once again this year, most court challenges on language matters reflected two conflicting views of Canada that have existed since the last century and which continue to divide our jurists. Bilingualism appears to evolve in a cyclical manner, swinging from highs to lows, depending on the issue and the region concerned. However, one thing is certain: although the frontiers of Canadian linguistic duality

may have shrunk considerably over time, in the federal domain, where it has asserted itself most vigorously over the past 50 years, its influence continues to grow. Where, then, do our higher courts stand in 1986 on language case law?

Three Supreme Court decisions

This year, the Supreme Court of Canada heard three language rights cases, those of MacDonald, Bilodeau, and the Société des Acadiens du Nouveau-Brunswick, and developed new doctrines that may have a decisive influence in the next decades.

The MacDonald and Bilodeau cases involved two Canadians who took their complaints about unilingual court summonses, one in French in Quebec, the other in English in Manitoba, through the court system up to the Supreme Court of Canada. In a six-to-one majority decision on May 1, the Supreme Court found that a summons to appear before a court in Quebec (MacDonald) or Manitoba (Bilodeau) may be written in English *or* in French, regardless of the language of the person to whom it is addressed. In so doing, it offered a strict and literal interpretation of Section 133 of the Constitution Act, 1867, and Section 23 of the Manitoba Act, 1870.

While acknowledging that it may be desirable for summonses to be issued in both languages to ensure that they are understood by the recipient, the Court found that there is no such requirement in the Constitution. The language rights constitutionally guaranteed in this situation are those of litigants, counsel, witnesses, judges and other officers of the court, not those of the parties to whom the summonses are addressed.

According to the Court this precise but incomplete system of protection is "a constitutional minimum resulting from an historical compromise", the scope of which can be extended only by federal and provincial legislation because "it is not open to the Courts, under the guise of interpretation, to improve upon, supplement or amend this historical compromise." In short, the Supreme Court tossed the ball back in the political arena.

A dissenting opinion

In a dissenting opinion, one Supreme Court justice offered a more dynamic interpretation of the Constitution. In her view the right of Canadians to use their own language imposes a corresponding obligation on the state to respect that right. The courts should therefore communicate with a person in his or her language. If judges also have the right to draft their decisions in the language of their choice, that right in no way diminishes the *obligation of the state* to provide a translation in the language of the litigant. "Otherwise," as the judge essentially asked, "What kind of linguistic protection would that be?" To that we can only say, "What indeed?"

While it must be admitted that the Court's majority opinion is consistent jurisprudence in this area and is based on two earlier Supreme Court decisions in the Blaikie case, in the view of many Canadians — and our own — the decision is very disappointing. The new round of constitutional negotiations it may entail

may be even longer than the last and its outcome uncertain. With the greatest respect for Canada's highest court, we believe it should at least consider this factor when examining the practical consequences of its decisions.

In our view, the minimum constitutional protection for language rights provided by Section 133 of the Constitution Act, 1867, and Section 23 of the Manitoba Act, 1870, may very well not meet the requirements of natural justice and equity. According to the Court, "The requirement of natural justice and procedural fairness should not be invoked to construe Section 133. These requirements protect not language rights but other rights which the section was never intended to safeguard and with which it is unrelated." Even if our legal system gives all Canadians the right to a fair trial, the right to be informed of the evidence against them and the right to a full and complete defence, so far as the Court is concerned those rights were not at issue in either case. If defendants do not understand the procedure because they do not understand the language, it may well be incumbent on courts to provide appropriate translation to ensure a fair trial. But the defendant's right to understand court proceedings and to be understood in court is not a separate right or even a language right; it is simply a general right under Common Law.

Translation or simultaneous interpretation

The Supreme Court handed down a six-to-one decision, also on May 1, in the case of the Société des Acadiens du Nouveau-Brunswick concerning the competence of a unilingual Anglophone judge to sit with two bilingual colleagues in a trial heard in French. In that ruling it found that the right conferred under the Charter of Rights and Freedoms and New Brunswick's Official Languages Act to speak English or French in a court of law does not in itself guarantee that persons may be heard or understood in the language of their choice. The court trying the case must, of course, be able to understand the proceedings before it, no matter which language the parties use. However, in the absence of a testing system, it is up to judges to assess their own understanding of the language of proceedings and, if necessary, to withdraw from a case.

While emphasizing that this is a field where jurisprudence may evolve with time, the Court offered no opinion about how one might reasonably ensure that a court is able to understand the proceedings, evidence and written and oral arguments submitted to it. For the time being, translation and interpretation remain solutions acceptable to the Court, although this issue was not, in its view, specifically raised.

The moral

All of this suggests that the Supreme Court intends for the time being to distance itself from matters it would prefer to see decided in the political arena, either through administrative measures and legislation or by way of amendments to the Constitution. Political action would be more likely to achieve acceptable consensus and lend itself more readily to realistic compromises than would court action. The fundamental question is whether the impact of court decisions will be powerful enough to encourage politicians to take on this somewhat thankless task. One

thing, however, is certain: these three decisions have done little to enhance the protection of language rights and *de facto* equality.

As we did when the decisions were handed down, we can again only regret that the Court has not seen fit to interpret the Constitution in a manner more favourable to the concrete protection of language rights in Canada. We also regret that a majority of learned justices have felt obliged, as much as by what they consider to be their role vis-à-vis Parliament as by the legal texts themselves, to render so limited a decision. The texts in question, in our view, must be revised to ensure they recognize the right of Canadian citizens to be heard and understood in the courts in the official language of their choice, a right which many Canadians mistakenly believe they already possess. However, to guarantee this right in the legal systems of the provinces, Parliament and the provincial legislatures will have to co-operate in adopting an appropriate constitutional provision. In the meantime, we must find practical ways of ensuring that such rights are respected in the courts, since they are part and parcel of equality before the law.

Part XIV(1) of the Criminal Code

In our view a reform of court proceedings is urgently required, beginning with the federal courts. We also believe that the federal government (which has jurisdiction over procedures in criminal matters) and the provinces should consider the application of Part XIV(1) of the Criminal Code to all of Canada a priority. Persons accused of a criminal offence should have the right to be tried before a judge and jury who speak their official language. This initiative, we feel, is essential if we are to recognize the right of every Canadian to equality before the law, equal benefit from the law and equal protection by the law. At present, Part XIV(1) is in force only in New Brunswick, Manitoba, Ontario, the Northwest Territories and the Yukon. Section 555 dealing with mixed juries applies in Quebec.

We were pleased to note in this regard that the Minister of Justice this year agreed to speed up reform of the administration of justice in both official languages, particularly in criminal proceedings. Since the provincial governments have agreed to hold discussions to ensure that this part of the Criminal Code takes effect across Canada in 1987, it seems to us that an equitable and realistic solution is now within reach.

In practical terms, part of the solution could lie in the gradual appointment of bilingual judges in judicial districts where both languages may be used orally and in writing in the courts, in the establishment of lists of bilingual jurors and in the introduction of an infrastructure of bilingual court clerks and stenographers. Such developments in the judicial apparatus will likely go in step with an increased use of English and French in other sectors of socio-economic activity in bilingual regions. From the average Canadian's perspective, the administration of justice is only one of a number of administrative and government services, one to which they prefer not to be subjected and which they would rather not use. However,

justice retains its symbolic value, and none would deny the impact it can have on the daily lives of our citizens, like any other body with powers of constraint.

Fortunately, contacts between citizens and their governments usually take place in less intimidating surroundings than those of the courts. Yet it was on this matter that judges again had to focus their attention in 1986 in the much more general issue of residuary rights of French before the courts of Saskatchewan and Alberta.

Status of French in Saskatchewan and Alberta

The residuary status of French in the provincial courts of Saskatchewan (the Mercure case) and Alberta (the Lefebvre case) is a subject that may startle more than one reader, as indeed it has more than one jurist. The language rights in question flow from Section 110 of the old North-West Territories Act. That section, which was adopted in 1877 and revised in 1880 to take account of changing territorial institutions, was given its final form in 1891. The last amendment established that the territorial assembly and courts of the time would be bound by the objectives of parliamentary, legislative and judicial institutional bilingualism governed by Section 133 of the Constitution Act, 1867, for federal institutions in Ottawa and provincial institutions in Quebec and, under Section 23 of the Manitoba Act, 1870, for institutions of that province. In 1891, however, the Parliament of Canada authorized the territorial assembly to set its own rules of parliamentary procedure and to produce and publish its own records and journals through orders and regulations, subject to the Lieutenant Governor proclaiming the necessary provisions.

While this provision was interpreted as federal authorization to stop using French in the territorial assembly, it appears that no resolution to this effect was ever proclaimed. When the provinces of Alberta and Saskatchewan were created in 1905, the acts in force in the territories were incorporated in the law of each of those provinces through transitional provisions. According to some, the effect of this was to carry over language rights which had never been formally rescinded in law.

However, other jurists maintain that, although the territorial assembly had the authority to regulate parliamentary procedure, its power was limited to determining the language of debates and records of the legislature and did not include the power to abolish the protection previously guaranteed to English and French or to suppress the language rights that followed as a direct consequence of that guarantee. Yet a third interpretation holds that Section 110 has never been enforceable in the legislature or courts of either province and has become inoperative for lack of object. Despite its theoretical appearance, this controversy is still of interest today, particularly in light of the fate the Canadian government itself reserved for Section 110 of the North-West Territories Act: repealing it in 1906, only to re-establish it in 1907, but in both cases only for the provinces of Saskatchewan and Alberta. The controversy is more than merely academic, since from its resolution will come a definition of the provincial and territorial limits of official bilingualism in areas other than minority language education.

Status of French in the Northwest Territories and Yukon

The complacency toward provisions affecting the language rights of our fellow citizens is the more surprising and dangerous in that moves appear to be afoot to exclude both the Yukon and the Northwest Territories from application of the Official Languages Act without further ceremony, even though the latter had already acknowledged its bilingual status in 1984 in an ordinance on the use of native languages. Nevertheless, the thrust of the argument presented to the Yukon Supreme Court in September by the Deputy Attorney General of Canada in the St-Jean case appears to have been that the status of one of our official languages should in fact not be recognized in this large region of Canada. "Although surrounded by sincere friends," as the Polish fable goes, "the hare fell victim to the dogs."

Other language cases

Other language cases heard this year at the federal and provincial levels are briefly described in Part IV. We will therefore restrict ourselves here to discussing a matter we consider just as important as that of language rights in the courts: language rights in education. This issue is likely to receive much public attention in the coming months as Government prepares to revise the Official Languages Act to give the reform a fresh start.

Education rights

The courts will continue, we hope, to give a generous interpretation to Section 23 of the Charter (Minority Language Education Rights) as well as to respect its reformist character and guarantee its effective implementation. Only if the courts adopt a broad interpretation will Canadians enjoy all the rights and freedoms promised at the time the Charter was promulgated. However, it is our elected officials who must act first. They must pay special attention to the full and effective recognition of the right to minority language schooling if they truly intend to make our deeply rooted linguistic duality flourish in this country. The very nature of our future Canadian society will depend on fully respecting present commitments. "Children are like the years," Céline said. "Once gone, they are lost to us forever." But when they become adults they will judge us.

Progress toward linguistic equality

Over the past 20 years the federal government has enabled many Canadians to defend their rights before the courts by referring cases to the Supreme Court of Canada, by intervening in certain litigation and by subsidizing court challenges brought by individuals and groups. This last program currently covers challenges regarding the rights and freedoms guaranteed by the Charter and other constitutional language rights. The importance of this support for fundamental rights should not be underestimated. It is one of the special graces of Canadian democracy.

In the case of language rights such support cannot, however, be fully effective unless a government concerned with promoting the full equality of English and French also develops a whole range of support measures. Court action, no matter how important *per se*, creates a climate of confrontation that leaves a bitter taste in the mouths of those concerned. Given their aims and the cost of such cases winding their way through the courts, we doubt whether they represent the best

possible investment of public funds. One would think that the delays alone would be enough to encourage the parties to seek faster ways of achieving remedial action, besides a better allocation of resources. For example, time might be better spent promoting programs more closely tailored to the real needs and legitimate aspirations of official language minority groups, or to conducting research that would be useful to everyone. Above all, these efforts should seek to foster the necessary co-operation between all parties.

Federal-provincial co-operation

A policy better adapted to the needs of our minorities might emerge from joint studies by the federal and other authorities aimed at developing regional and municipal services in both languages in the bilingual regions of Canada. Such services meet an obvious need, are fairly easy to organize, relatively inexpensive to maintain and, in particular, give true meaning to the official bilingualism of federal and provincial governments. Official bilingualism at these levels only makes sense when it is complemented by dynamic bilingual local and regional structures.

In many instances, such initiatives might prevent a rather confused and tense atmosphere from becoming further exacerbated. A new policy of this type would provide better protection for language rights in Canada. The day is perhaps not far off when this topic can be raised with some provinces, perhaps in the context of a federal-provincial conference. The agenda should ask the question how we are to achieve, in a more co-ordinated manner, the equality of both official languages — not just in education and the administration of justice, but also in health and social services, areas which have a direct impact on the welfare of all Canadians.

Policies and Programs: Getting in Gear?

How does the old song go: "It ain't what you do but the way that you do it"? It is certainly a tune that has haunted our reflections on Government's 1986 performance in official languages.

The subject of this chapter is Management. There are already a great many federal policies and programs dealing with the equal treatment of English and French, just as there is still the Official Languages Act of 1969 to be applied and enforced. None of these may be perfectly adapted to the constantly evolving linguistic scene, but they are the best we have and we should be making a lot better use of them. We have the components of what has become a potentially very sophisticated management system. That it has a great deal of potential is repeatedly demonstrated by those individual institutions or managers who have taken it seriously; its main problem may simply be that it is too seldom applied with enough care and consistency to show what it is made of. In that respect, the 1986 Performer of the Year headlines were not made in the nation's capital. Locked in a scrutiny of its own linguistic entrails, the federal government was, for long periods, virtually absent from the scene.

Strategic planning

In our 1984 Report we made the point that the first necessity for an official languages plan for Canada is co-ordination: within the federal government, among governments, and between governments and the other indispensable players. If this most Canadian of shows wants to have any sort of run, it must get down to some serious ensemble playing. On this point, Government seems to agree: for all its slowness, the official languages review that dominated the management year has been a great labour of co-ordination. Let us acknowledge that our message was received and that, with some prompting from PMO, PCO, the Parliamentary Committee and ourselves, the official languages triumvirate (Treasury Board, Justice and Secretary of State's Department) is now putting the finishing touches to a strategic plan for bilingualism that might just be worth the wait. But the co-ordination square dance must go on after the changes are

introduced, must in fact be intensified as the next phase of implementation gets under way. As we see it, an effective co-ordination device must meet the following specifications.

- A FRAMEWORK: it must possess a comprehensive sense of what a workable official languages plan for Canada should comprise at this stage in our history. No less important, it must show a subtle understanding of how the components relate to one another. It must include everything from internal implementation tools to the priorization of national and other resources in the various aspects of the program. In short, it must be complete.

- A CLEARER MANDATE: odd though it may appear, and in spite of the complexity of the program and the many agencies involved, there has never really been, in all the years since the Laurendeau-Dunton Report, an unambiguous assignment to one or several government bodies to track and harmonize *all* the federal and other interventions that have stemmed from the B and B Commission.

- CONTINUITY: much of the frustration that periodically erupts in this program is traceable to inadequacies of institutional memory. The condition may be endemic to large organizations with large staff turnover, but we persist in our belief that the planning and review processes in official languages would be less traumatic if they were spread out more evenly over time, and if the necessary professional resources were more permanently and consistently allocated.

- OPEN REPORTING TO THE ELECTED AUTHORITY: while our own annual and other reports act as reminders of overall progress in implementing the Act, they ought not to substitute for comprehensive — and, one would hope, reasonably regular and self-critical — reports to Government and Parliament from those bodies charged with applying our official languages strategy. Even allowing for the necessary bureaucratic discretion, we frankly cannot remember when we last saw an official languages document with that kind of candour tabled before Parliament.

Progress through Accountability

This brings us to the more specific issue of accountability, a term which we take to include both the answerability of managers for carrying out their linguistic duties and the accountability of institutions to a responsible central agency such as Treasury Board or to Parliament through an appropriate committee. The Board announced last June that it would gradually be introducing a new management approach based on the philosophy of increasing both the decision-making authority and the accountability of ministers and departments. In the area of official languages, annual plans, which had been somewhat in abeyance in any case, are to be replaced by "letters of understanding" between deputy heads and the

Secretary of the Treasury Board. These will target specific areas for attention, be monitored by the Secretariat, and be reviewed more fully every three years.

We have been uneasy for several years now about what seemed to us a premature decentralization of the authority to direct, promote and evaluate the language performance of federal departments and agencies. Insofar as accountability must mean that "the buck stops somewhere", the processes, which began around 1982, of delegating more official languages management to individual institutions, and of integrating some of the more specialized tasks within such standard administrative functions as internal auditing or professional development, have had the effect of making it less clear, in many cases, just where the official languages buck does stop.

No paper system for delegating duties, evaluating results and attributing praise or blame can be expected to be foolproof, but we are bound to judge it, in practice, by its real contribution to progress and its ability to identify blockages or breakdowns. Progress must remain the operative word in tracking corrective legislation such as the Official Languages Act.

With these considerations in mind, and seeing that Government was revising its official languages accountability arrangements toward even greater delegation, we decided to take a few soundings in some important departments and agencies regarding the effectiveness of the delegation system that has been in place for the last four or five years.

The Office commissioned a consultant to conduct structured interviews on accountability issues in 11 departments and agencies. The results were the subject of an internal report of which the substance was conveyed to Treasury Board as a basis for discussion. The study came to four broad conclusions:

- the personal commitment and practical example of deputy heads is almost universally agreed to be a key factor in achieving progress through accountability;

- effective delegation and integration of official languages duties and functions is extremely variable and they appear to hinge on (i) senior management commitment and (ii) the real powers that remain vested in official languages specialists;

- the combined impact of government cuts, integration of official languages functions, and the relative absence of promotional push from the central agencies results in monitoring and auditing that is often inadequate as a basis for either specific or general evaluation of the program;

- while, under the new system, more institutions are now using letters of understanding to make key managers accountable for their own official

languages objectives, in too many other cases non-fulfilment of linguistic objectives still goes relatively unremarked and unpunished.

Since, when our study was being carried out, Government was still making up its mind how to manage a revised official languages program, this information — combined with a whole year's feedback from our other contacts with federal institutions — seemed to us to offer Treasury Board and other government language planners some valuable pointers towards building a better accountability mouse-trap. Our findings are now under discussion.

Four Accountability Principles

A new regime will have to be judged on its practical merits, but the effectiveness of any official languages regime depends more on the steady application of three or four basic principles than on a mere shift of philosophic emphasis.

Evaluation and auditing

It is obvious that there can be no accountability worth speaking of without appropriate instruments of evaluation. Evaluation in the official languages field comes in three or four sizes: the sort of macro-evaluation of the Act's successes and failures that this Office tries to provide each year; global evaluation of the effectiveness of specific program components such as assistance to minority communities or language training in the Public Service; system-wide audits of departmental compliance with government policy rules; and what amounts to self-evaluation by institutions against all or any of the above criteria. At this point, we do not know for certain what Government's macro-evaluation of the situation amounts to, but, since the authorities have carried out a major review and seem about to propose some important legal and program changes, we surmise that it may not be too far from our own. As we shall see, the evaluation of such support programs as translation, language training, bilingual job requirements, and the bonus, have resulted in specific policy revisions. Compliance audits of departmental performance by the central agencies appear to us to have been at a premium in 1986 — a perception largely confirmed by the feedback from individual institutions. Treasury Board, in particular, has been relatively absent in this regard, although we note with satisfaction that the Secretariat provided official languages guidance to some 90 internal auditors in over 30 institutions in the course of the year. We suggested last year that internal auditing of official languages objectives, whether substantive or procedural, is seriously deficient, so it was all to the good that the Secretariat was out there tending the official languages lines.

Official languages personnel in departments

One other aspect of the management and accountability picture must be mentioned here: the number and status of official languages specialists in federal institutions. Treasury Board seems to argue that there is a diminishing need for such specialists at this stage of the implementation process and that the advantages of treating official languages as a special program are outweighed by the disadvantages of having managers regard it as peripheral to their "real" responsibilities. This philosophy is known in the trade as Integration, and as philosophy it is hard to

gainsay. But philosophy and practice seldom coincide all that closely. On the evidence of 1986, the physical integration — some would say disintegration — of official languages resources in departments seems to have gone well beyond what the general stagnation of the program can justify, so that, far from being a potential solution, integration is in danger of becoming part of the problem. Losses in specialized official languages personnel ranging anywhere from 10 to 75 per cent are not a recipe for greater overall accountability.

Enforcing Recommendations

One knotty question is the extent to which federal institutions can be compelled to implement the letter, let alone the spirit, of the Official Languages Act. By what irrefutable proofs can Canadian citizens, or the Commissioner acting on their behalf, make good the claim that a specific contravention of the law results from something more than individual inadvertence or the unavoidable difficulties of developing new bilingual capacity?

Here again, we suggest that there is no absolute answer to this question, only an evolving *praxis* or jurisprudence. Given that implementation of remedial legislation is, by definition, progressive, one can of course present information that would lead a reasonable person to believe that a specific failure in the factual equality of English and French is due to something that is well within the powers of government to correct. These are the kinds of judgement that Parliament requires of the Commissioner and his staff every day of the week, year in year out. We try — well this side of total infallibility no doubt — to make decisions that are fair to all parties and to recommend corrective action that is within the normal bounds of administrative realism.

Section 33(1) of the Act

But having said all that, the Commissioner alone, using whatever ombudsmanic wiles he has accumulated, still cannot compel anyone to do anything. This is not a lament, but a fact, consecrated within the present Official Languages Act and possibly in its successor. The Act allows the Commissioner to use moral suasion till breath and patience are equally exhausted, but it does also provide for situations where "something's got to give". Section 33(1) of the Act says, in effect, that when the Commissioner feels he has done everything within his statutory power to get "adequate and appropriate" corrective action from one or more federal institutions, he may submit this apparent act of recalcitrance to the Governor in Council, the highest possible government authority, and, failing satisfaction at that level, to the highest court in the land, Parliament itself, to have one or other of them either direct a remedy or, in effect, admit defeat.

This, in our view at least, is strong medicine, for use only in emergencies. To invoke Section 33(1) at the drop of every egregious bureaucratic clanger would rapidly bring even our ultra-resilient Cabinet and Parliament to their respective knees. Until the very end of 1986, a Section 33(1) reference to the Governor in Council had been used only once, in 1971, when its application was felt to have been unsound on technical grounds — which may explain why this option

was left on the shelf for the next fifteen years. The result, however, was that the ultimate recourse provided to the Commissioner under the Act had never really been put to the test. At a time when Government was putting a revised Official Languages Act together and thus reviewing the Commissioner's powers, we found ourselves with an important power under the existing Act which had yet to show its mettle. It was in that spirit, and to shed additional light on the whole question of enforceability, that the Commissioner submitted to the Governor in Council last December (and in January 1987) three Section 33(1) reports relating to the three main components of language equality (service to the public, language of work and full participation). He then informed that body of his intention of tabling the same reports before Parliament. This exercise had several purposes: to unblock those particular systemic problems; to provide Parliament and Government with an opportunity to say specifically what actions they judge necessary in each case; and to provide our elected representatives and administrative draftspersons with a chance to review and tighten the Act's recourse and enforcement provisions. At this writing, the issues remain unresolved on all three fronts.

Inner Workings of the Ship of State

To achieve factual equality of English and French in the federal domain can never be simply a matter of repainting the hull of the ship of state; it also entails regular refits. Indeed, one of the reasons the program has been so long in Government's dry dock is precisely to upgrade both the navigation and the engine room systems for some arduous linguistic voyages ahead. The nuts and bolts of the official languages program within the Public Service will already be familiar to regular readers. For the less initiated, we will identify them again and give an account of their fortunes in 1986.

Language requirements of positions

A decision was made in 1972-73 that the most systematic way to build up federal capacity to operate equally well in English or French was to assign official language requirements to every position in the Public Service.[1] Like any other approach, this one has the failings of its virtues: it is relatively watertight, in the sense that it has led progressively to a remarkable increase in bilingual capacity; but it can also become overly rigid if applied unthinkingly. And some managers can and do, more or less wittingly, override or abuse it.

At the end of 1986, the Public Service boasted a total of 56,179 bilingual bodies in bilingual jobs, which represents 25.1 per cent of the whole. Not only were the number and proportion up again from last year, but the second language proficiencies expected and demonstrated in these positions were also moving slowly in the right direction. For those keeping score, Table I.1 gives a summary of the bilingual requirements that were met, at least on paper, in 1986 as compared to 1983.

[1] Public Service refers here only to those institutions covered by the Financial Administration Act and the Public Service Employment Act. Not all other federal institutions operate such a tightly defined language requirements system.

Table I.1.

Second language proficiency requirements of bilingual positions that were met in 1986 and in 1983

	1983		1986	
	Number	%	Number	%
Elementary or A level	8,013	15.4	5,737	10.2
Intermediate or B level	37,965	72.9	43,182	76.9
Advanced or C level	4,227	8.1	5,214	9.3
Other more specialized levels	1,904	3.7	2,046	3.6
TOTALS	**52,109**	**100.0**	**56,179**	**100.0**

Source: Official Languages Information System, 1983, 1986.

There are always the same two questions with respect to this system. First, how much new bilingual steam can be squeezed out of it simply by raising the levels required? There are, to put it simply, real human limits to be taken into account here; if all we needed to be linguistically "good" was to contemplate the perfect bilingual life we would all have been canonized a long time ago. Second, how far can one either tighten or loosen the controls on this system without getting uselessly in managers' hair or inviting them into either superficial compliance or delinquency? As long-time students of these questions, we offer Government the following observations and recommendations.

- Beyond a certain point, let us say level B for the sake of argument, significant increases in the second language abilities of bilingual staff, both Anglophone and Francophone, are much more a function of their use on the job than of higher targets to be attained through language training. Common sense will tell us that, for best results, we need a judicious combination of interesting targets and practice, practice, practice.

- While it may well be necessary, on an interim basis, to "force" the French language abilities of bilingual Anglophones until the potential need for them becomes more fully manifest, the long-term solution remains the stimulation of demand for those abilities, not simply stock-piling them through phony maintenance programs.

- Given the real human condition of the Public Service in 1986, it is, alas, necessary to allow managers some practical latitude to take account of the many diligent employees working in a bilingual context who are, for all practical purposes, almost irrecuperably unilingual. The question is, how much latitude? There is nothing fundamentally improper about making allowances for individual language shortcomings provided every institutional effort is made to compensate for them and they are not made an excuse for

service to the public or language of work behaviour that does not amount to fair, factual treatment of English and French in today's Canada.

- We strongly recommend a steady upward pressure on second language proficiency levels. Details will have to be worked out, but, purely by way of illustration, we might aim for a drastic reduction of the proportion of bilingual positions at the elementary level A by 1990-91 and an overall target of 35 or 40 per cent at the advanced level C by 1992-93, the latter to include at least 50 or 60 per cent of the Management category.

- No formal increase in the exemptions or exceptions that are already available to managers in allowing for nature's "unilinguals"; on the contrary, much more regular and rigorous central agency and departmental monitoring of the effectiveness of the compensatory arrangements that must be made in these circumstances.

Productivity and the Bilingual Bonus

While we are on the subject of the real productivity of the language requirements system, let us visit another old friend who resurfaced in 1986 in a new policy outfit. We are speaking, of course, of the bilingualism bonus, a payment of $800 a year to every public servant who can demonstrate a satisfactory degree of bilingualism in relation to bilingual job requirements, unless he or she happens to be in either the Executive or one of the other non-qualifying categories.

The bonus cost $45.5 million in 1986-87. Its original aim was to give an almost token financial fillip to the rank and file whose jobs had become complicated by the bilingualism factor. For reasons too complex to be rehearsed here, it ended up as a flat rate annual payment to virtually all officially qualified personnel. There was, at one time in 1985, a hint that Treasury Board was looking for ways to curtail whatever part of bonus spending might frankly be considered superfluous, such as payments to middle and upper managers or equivalents whose bilingualism is adequately compensated in other ways. It may be that the Board is still looking, and we encourage it do so, but its only action in 1986 was to issue a new policy on who is or is not eligible to receive the bonus.

The most interesting aspect of this new policy concerns what are called Confirmation Procedures: how to determine that a bonus recipient is still bilingual enough to warrant the payment. Two procedures have been tried in the past: a medieval ordeal by language test and a less brutal laying on of hands, whereby the supervisor confirms that the employee remains bilingual to the required standard of virtue. In economic terms, the two procedures have tended to come to the same thing: if supervisors were too soft, the bonus rolls were swollen with less than deserving recipients; but to cut these black sheep from the flock cost practically as much in testing and administration. Nevertheless, a return to testing should make the system more honest, provided the bilingual church, having

cleansed itself of its more obvious sinners, not only continues to provide but also to improve its service to the community.

Language Training

Government also tried its hand at another notorious policy conundrum in 1986: how to get "more for less" in the process of providing second language training to employees at public expense. In this case, the policy signs are a bit more promising, although, like everything else, they could have some negative side effects. To better understand the revised policy, let us first consider the year's training statistics in relation to those for 1983:

Table I.2.

Second official language training provided by the Public Service Commission, 1983 and 1986

	1983	1986
Enrolments in basic continuous courses	3,229	1,898
Enrolments in other courses	8,978	19,028
Total teaching, pedagogical support and other staff	744	703[1]
Total Cost ($000)	**33,901**	**36,794**

[1] In 1987-88 this figure will be cut to 588.

Source: Public Service Commission.

Access rules

The essence of the revised language training rules, which are scheduled to come into effect in the spring of 1987, is that those needs that are most closely related to the institution's immediate requirements for bilingual staff must have clear priority in terms of access to the more intensive forms of training. Needs that are more related to individual career plans should have more limited access to less intensive forms of training, and should intrude less into normal working hours. Individuals who are granted career related training will have the additional spur of knowing that the government training allowance is, so to speak, fixed and finite; any shortfall on students' part must be made up on their own time at their own expense. (Employees who fail the confirmation test for the bilingualism bonus are to be allowed a one-time-only grant of 200 hours of additional language training — which may seem like an excess of tenderness to others besides ourselves.) Since, however, this policy largely reflects things that we have been advocating for several years, we naturally find it clear and sensible. It tightens the institutional, pedagogical and motivational "economy" of language training in ways that ought to prove more productive. We must caution, however, that there are other aspects of the new policy that could prove more ambiguous — and, indeed, which are not all that new. We refer to:

- a provision to allow private institutions to compete with the Public Service Commission for lower-priority forms of training;

- a certification process to ensure that private training meets government standards;
- a considerable revival of cyclical forms of training (e.g. 3 x 3 weeks spread over six months); and
- a corresponding revival of maintenance programs within departments which, as the name indicates, are supposed to keep the student's fluency ticking over in the partial absence of an immediate functional need.

Again, we must preface our caution by the obvious remark that, until the revised system has been given a chance, no one can properly evaluate its productivity. However, it must be pointed out that all four of these administrative-cum-pedagogical approaches have been tried before, notably in the early 70s. The results at that time were extremely mixed in all respects. Granted today's conditions are different, if only because the Public Service now has a much larger pool of real and paper bilinguals, and can more readily recruit more of them from outside, but the same basic efficiency laws will still apply. If, for instance, the individuals who are granted career related training on a cyclical basis, in either PSC or private schools, perceive themselves as having no functional need for their acquired skills, they will tend (i) to lose competence between cycles and (ii) to make in-house maintenance programs a substitute for the more difficult task of putting their skills to work in real situations. Such being the nature of the beast, the revised language training program seems at present to be missing an indispensable counterpart: the promotional development of real institutional needs for service to the public or equitable internal use of both languages. Without them, language training — at least for many Anglophone employees — is not much better than pouring water on sand.

Translation

It is the role of translation in and for the Public Service to bridge the gaps between legitimate individual unilingualism and bilingual needs of the institution as efficiently as possible. And since, by definition, individual unilingualism goes down as institutional bilingualism goes up, translation needs will necessarily change over time, both in volume and in kind. Add to this the equivalent of Parkinson's Law of Communication[1], and you have a better idea of the background against which successive governments have been trying to achieve savings in translation while still responding to the ever growing expectations arising out of the Official Languages Act.

More with less?

A quick comparison between 1984-85 and 1986-87 translation statistics (Table I.3) will show that the Translation Bureau is apparently trying to handle about the

[1] The volume of what Parliament and Government judge to be worthy of communication increases in direct proportion to the sophistication of the means available for communicating it.

same word volume of translation as it was two or three years ago with roughly the same real dollars but with fewer professionals permanently on staff.

Table I.3.

Volume of translation and human and financial resources of the Translation Bureau 1984-85 and 1986-87

	1984-85	1986-87
Millions of words	268	267
Person years	1,774	1,492
Millions of dollars	67.687	68.534

Source: Department of the Secretary of State.

In simple terms, the Bureau is still translating the equivalent of a Bible and a half per day with fewer Public Service translators and no new money. There are also indications that, while the volume of translation is being capped at that level, real and legitimate demand may be growing by 10 to 20 per cent per year or more. Government's approach to this tricky problem in productivity has been essentially threefold: to curtail so-called unnecessary translation at source; to make savings through technical innovation; and to farm out the remaining overload to freelance translation, which, in theory, is cheaper. Several questions remain, however. Are Government's legitimate needs for translation as stable as the volume ceilings seem to assume? Is the overall quality of translation being sufficiently maintained under these productivity pressures? And is freelance translation all that much cheaper when the Bureau's need to exercise additional quality control is taken into account?

The management questions in the area of translation are remarkably similar to those in the areas of language training, language requirements, accountability, and so on, no doubt because they are all part of the larger question of resourcing which we address below. Suffice it to say that we believe Secretary of State's Department is well seized of the economic issues in translation. For our part, we incline to the view that, at this stage in the game, and with a more comprehensive and explicit Official Languages Act in prospect, the Bureau will have to give its top priorities to serving Parliament and the public; by the same token, as the bilingual capacity of the Public Service steadily increases, legitimate translation for internal purposes can and should be deliberately decreased.

The best illustrations of this inverse priority principle occur in the area of language of work. It would hardly be an exaggeration to say that the future of language of work policy, in the National Capital Region for instance, depends on two things: (i) more Francophones who will take the dare of using their own language whenever possible; and (ii) removing the crutch of translation — in all its forms — for Anglophones who are supposed to be bilingual. In point of fact,

virtually any English-speaking employees in Ottawa-Hull should be able to become receptively bilingual with very little difficulty. They will certainly never become more actively bilingual so long as their "unilingualism" discourages Francophones from using French or so long as translation and interpretation are routinely provided when they ought not to be. At any rate, some gradual suppression of internal translation is probably a *sine qua non* of the linguistic paradise promised to us by Prime Minister Pearson in 1966, when he envisaged a Public Service in which English and French speaking Canadians would work shoulder to shoulder on their common tasks, each happily using his or her own official language in the comfortable assurance of being understood. A paradise postponed as yet, but that may be largely our own fault.

Financial Resources and the Human Factor

As we pointed out in our opening chapter, Canada's official languages program has, for some time now, been dithering at the crossroad between a constructive renewal and what could amount to a less than honourable retreat. The heart of its dilemma is the heart of Canada's dilemma: what kind of country do we wish to live in, and what kinds of mutual sacrifice are we prepared to make to remain a single, family-like nation as distinct from a loose agglomeration of conflicting tribes? A well-defined and well-run national language policy could truly heal many of our differences, but a policy that remains dogged by too large a gap between escalating promises and the obvious shortages of either brains, courage, heart or cold cash can only build up problems for itself. It is time, indeed past time, to take a more holistic look at what needs to be done financially and humanly to get this program moving again down the yellow brick road toward national reconciliation. Most Canadians would rather live on neighbourly terms with people of other linguistic and cultural backgrounds, and many of them have personal knowledge of the brutalizing effects that linguistic intolerance can have.

Imagination and invention

If the theme of the times is that "necessity is the mother of invention", what was accomplished in 1986 demonstrated a strong, very Canadian, vein of individual inventiveness. But a program of this size and importance also requires Government inventiveness on a comparable scale. There are no insignificant bits and pieces in our official languages management system, but it takes a significant effort of imagination to see how they interconnect and how they contribute to the entire official languages plan. Government invention has not yet reached that level of imagination and, consequently, is still somewhat mired in piecemeal and insufficently priorized tinkering with the machine. Given the importance of having a first class management machine for the tough work of renewal ahead, we would conclude with the following general observations.

- A truly revitalized official languages program will require continuous co-ordination at the conceptual level and a bold, team-based approach to the work of transmitting the governing ideas to the working parts: a multi-agency

task force may well be the best answer for the early stages of renewal; any return to the inter-agency rivalries of recent years could be fatal to the reform and must be resisted at all cost.

- The unavoidable productivity squeeze has, in some places, trimmed this program to the bone — and beyond; we may be in danger of trying to run a critical national business as if it were a cottage industry. We share the view that there are still some productivity savings to be made by repriorization, reallocation and reorganization, but they alone will not nearly pay for even the most necessary work ahead, let alone our total wish list. There cannot be an effective renewal of Canada's language plan without substantial new money and confirmation of our commitment in human resources.

Standing Joint Committee: Points of Departure

The Standing Joint Committee on Official Languages — with a number of new members since the fall, but the same co-chairpersons — continued its examination of the Commissioner's 1984 Annual Report and began its study of the 1985 Report. It dealt with the major issues raised in these Reports, including proposals for changes to the Official Languages Act. Although it was unable to hold the hearings on the situation of minority official language communities it had planned, the Committee nevertheless focused on their main concerns and, more particularly, on minority education rights. It consulted experts in various fields (including law, demography, sociology, geography and education) and called as witnesses the representatives of various minority organizations: the Société nationale des Acadiens, Alliance Quebec, the Fédération des Francophones hors Québec, the Association canadienne d'éducation de langue française, the Canadian Teachers' Federation, Canadian Parents for French and the Commission nationale des parents francophones. Toward the end of 1986 the Committee once again began to call representatives of federal departments and agencies. Some of these institutions are known for their slowness in complying with the Act while others offer a more useful example. The Commissioner also testified on a number of occasions and was pleased to offer his comments and suggestions.

Language program reform

Several witnesses spoke of weaknesses in the official languages policy: a lack of co-ordination between various federal programs, and between federal and provincial programs, as well as of the practices of a number of regional and local governments. Expert witnesses told the Committee of their concern about the wide range of approaches taken by the federal government itself, where each department or agency pursues its own language objectives without always giving much attention to established standards. This has led to confusion about national objectives, weak regional co-ordination and monitoring and, ultimately, to public scepticism.

The courts

The Committee also dealt with the issue of bilingualism in the courts. An eminent law professor reviewed the language rights already recognized in Canada and the guarantees enshrined in the Constitution and then suggested what might be done to establish these rights more firmly, particularly in the judicial system.

Education rights

At year's end the Committee was preparing a report on education rights. It heard some rather discouraging statements from the Association canadienne d'éducation de langue française, the Canadian Teachers' Federation and the Commission nationale des parents francophones about the lack of progress in minority language instruction since adoption of Section 23 of the Charter of Rights and Freedoms. Several expert witnesses reminded the Committee that education authorities in most provinces still enjoy too much discretion with respect to the creation of French classes or schools. In the absence of new legislative rules governing access to instruction in French, the minorities have made scant progress in exercising the education rights set out in the Charter. The Committee studied the situation in a number of English-speaking provinces where Francophone children are offered French immersion or bilingual programs because no legislation has been adopted to ensure homogeneous minority language instruction.

Canadian Parents for French suggested that Section 23 of the Charter should be interpreted more generously, to give all Canadians the right to have their children attend immersion classes in the minority official language of their respective provinces.

Linguistic demography

The Committee also examined the demolinguistic situation of the Francophone minorities outside Quebec. The 1981 census results suggest that linguistically mixed marriages are on the increase and that this factor has a clear impact on language transfer rates. According to one expert, Canada may, despite this phenomenon, be moving toward a consolidation of the transition zones between essentially Anglophone and Francophone regions of the country rather than toward territorial polarization of the two languages. Another expert testified that one of the paradoxes of the recent changes in the cultural fabric of Quebec is that parts of the province may become culturally *more* English than in the past: for example, as a result of Bill 101, English language schools outside Montreal are today often frequented mainly by Quebecers of British origin.

The Committee's agenda

At the end of the year the steering committee was re-established and a work program for the new session developed. Building on established practice, the Committee called the representatives of a dozen or so federal institutions as witnesses. At their first appearance they are asked to explain why their institutions do not comply fully with the Official Languages Act and do not, in some instances, respect the minimum standards met or exceeded by most other federal departments and agencies. Departing from past practice, the Committee will then ask them to appear a second time some six months later — and again if necessary — to report on progress.

We fully support this initiative, which strengthens the complementary roles of the Committee and the Commissioner's Office in promoting language reform. In our experience, nothing encourages senior public servants to shoulder their responsibilities more than knowing that a parliamentary committee will

systematically and repeatedly examine, in public, how the recommendations made to them over the years, and their own commitments, have been acted upon.

The Standing Joint Committee, or some of its members, will doubtless be asked to review Government's proposals for bringing the Official Languages Act up to date. The appropriate legislative committee (which will already have at its disposal the report we tabled on this subject in February 1986) can count on our full support.

PART II

Language Equality in Three Dimensions

Language Equality in Three Dimensions

The overall language reform picture in 1986 was one of a ship becalmed and a crew involved in a great deal of busy work. While some progress was achieved by a number of federal institutions, the majority remained at a standstill in terms of results. The following review of the three cornerstone objectives of the federal official languages regime — language of service, equitable participation and language of work — points clearly to the need for Government to revitalize its program. Renewed efforts must occur at several levels: Government must make its future intentions clearly known; the central agencies must provide clear and strong direction; departments and Crown corporations must respond with commitment and imagination; and controls must be introduced or reinforced so that results can be properly measured.

The three components of the program discussed here are anchored in the Charter of Rights and Freedoms, the Official Languages Act and the 1973 Parliamentary Resolution on Official Languages in the Public Service. Each component has an impact on the others; taken together, they seek to achieve genuine equality of status for both official languages.

Before we deal in detail with each of these elements, a few words should be said about the importance of audits and complaints, along with other sources of information, in helping us assess the pace of language reform in the federal apparatus. We will also provide preliminary conclusions of a study on electronic data processing as it relates to both language of service and language of work.

The Proof of the Pudding...

Audits and follow-ups

In our efforts to arrive at a fair and objective assessment of the progress made in implementing the official languages program, we rely on a recipe composed of the following ingredients: audits, complaints, desk officer work, reports from minority associations and consultations with other specialists. Our linguistic audits provide an accurate yardstick for measuring actual compliance with all aspects of the program. In 1986 we conducted 34 audits and follow-ups of a cross-section of federal departments and Crown corporations. Audits are particularly helpful in discovering systemic barriers to linguistic reform by pointing, for example,

to failures to understand or adjust to the special service needs of a minority community or to the fact that a management function like providing information to employees has not been carried out. A year or so later, we follow up to see whether our audit recommendations have been implemented.

Our assessments also draw on the sum of the knowledge and experience of our desk officers, who remain in touch with federal departments, agencies and Crown corporations throughout the year. Special studies, such as the one we conducted this year on the linguistic aspects of data processing within government, provide additional information on the general situation and that in specific institutions. We also have access to statistical information provided by the Treasury Board Secretariat, the Public Service Commission, Statistics Canada and others. Studies like the one conducted by the Fédération acadienne de la Nouvelle-Écosse on federal services available in the minority language in particular regions are also of great assistance.

This year we met several times with official languages directors of a number of departments and Crown corporations to exchange ideas and test our findings. Their conclusions were essentially the same as ours: the winds of reform have gone out of the sails of the official languages program, and the long-promised freshening breezes have yet to be felt. It is not surprising that the morale of the crew has reached a low point.

Individual complaints

Individual complaints are also an ingredient of our *direct assessment* of federal performance. Our complaints system provides a means for those whose linguistic rights have been infringed to receive what they are entitled to, or at least to ensure that someone else's rights will not be ignored in future.

In 1986 we received over 3,500 complaints, 1,784 of which were brought against the Canadian Security Intelligence Service (CSIS) by employees who, with good reason, would not accept documents being sent to offices in Quebec in English only. Even excluding the latter, the total number of complaints (some 1,700) rose by about 40 per cent this year.

Complaints dealing with service by telephone rose from 145 in 1985 to 240 in 1986, those about correspondence not sent in the preferred official language more than doubled from 62 to 149, and those concerning person-to-person service jumped from 125 to 226. Language of work complaints increased from 145 to 241 (again excluding those from CSIS employees). This substantial increase suggests that federal institutions have given the official languages program lower priority than in the past.

English in, English out

Electronic data processing

In 1985 Treasury Board Secretariat at last began to give serious consideration to the language aspects of electronic data processing (EDP) and office automation. Even though EDP was introduced over three decades ago, at the end of 1986 there was no up-to-date policy to govern its linguistic ramifications, and much

will have to be done to overcome the effects of ignoring this factor for so many years. Nonetheless, some federal institutions — notably the Bank of Canada — have had considerable success in creating bilingual EDP systems.

These are the preliminary conclusions of a study we shall publish separately from this Report. The study identifies three key aspects to bilingualizing EDP: keyboards, screens and printers must be able to receive, display and produce French accents; software must be in two separate languages or bilingual; and manuals and training must be available in both languages.

There are indications that Treasury Board Secretariat is now beginning to address the situation in a serious way. The Department of Communications has also established a committee charged with arriving at a standard process for the production of diacritical marks on computer keyboards. Immediate action should be taken to ensure that no new EDP or office automation system is acquired without building in official languages requirements, and work should start on planning the upgrading of systems now in place that are not "user-friendly" where French is concerned. Finally, our study urges federal-provincial co-operation in the use of joint purchasing power to encourage the development of French and bilingual hardware and software in Canada.

In 1987 we shall conduct additional studies to throw light on other systemic barriers to language reform. But no studies, whether ours or Government's, should be used as an excuse to delay introduction of the measures needed to change the system now. The following chapters point the way.

Service to the Public: Beyond "Bonjour!"

While Government has reason to be proud of the progress achieved on the language-of-service front since 1969, we regret to say that the equality of status, rights and privileges for English and French, as proclaimed in the Official Languages Act and the Canadian Charter of Rights and Freedoms, is still by no means an everyday reality. With the present pace of reform, and failing more tenacious efforts by Government, we fear a great deal of water must flow under the bridge before theoretical equality becomes fact — if indeed it ever does.

We therefore believe it would be helpful if this chapter repeated the major principles involved and, through examples, highlighted the main reasons why Anglophones and Francophones have difficulty obtaining, in their language, the services to which they are entitled. In this overview, we will again indicate ways in which Government and the Public Service can translate general principles into reality.

Fifteen years after adoption of the Official Languages Act, the Commissioner formulated a number of proposals in his 1984 Annual Report on the active offer of bilingual service to the public, the need to ensure that organizations with coercive powers (police, customs, taxation and so on) offer their services actively in both languages, and the importance of providing managers with clear objectives and the means to attain them. He emphasized the idea that renewed reform was essential to linguistic progress and consistent with the stated intentions of the new government.

In 1985 the long-awaited renewal failed to materialize. Our studies, audits and analyses of complaints revealed that virtually no action had been taken on our recommendations. Consequently, in his 1985 Report, the Commissioner asked Government to take immediate steps to deploy a concerted renewal effort.

What, then, was the situation in 1986? The short answer is that the promised renewal has yet to occur and services still suffer major weaknesses in many federal institutions and in several regions.

Active Offer

To remove current inequalities in service to the public, Government must first ensure that its services are actively offered in both languages. From the moment Canadians first make contact with a government office or employee, they must understand that they may use their own language to obtain service.

Active offer of service means genuine bilingualism in telephone and personal reception services and, where a government organization initiates communications, use of the client's language by the federal employee concerned.

For service to be offered in a truly equitable manner to members of both language groups, comparable efforts must be made to promote programs and distribute all information on the services involved in English and French. Fundamental though it is, this point is neglected by many departments and agencies, which use bilingual receptionists to compensate for the linguistic weaknesses of officers responsible for providing service.

The principle of active offer transcends all others and calls, in a given work unit, for staff capable of providing service in the appropriate language. Every office where there is significant demand should at all times have at least one fully bilingual employee (at the superior level C) capable of communicating effectively with the public on the most complex issues.

"Significant demand" and "nature of the office"

Although the concept of "significant demand" is found in the Official Languages Act and restated in subsection 20(1) of the Canadian Charter of Rights and Freedoms, federal institutions have yet to give it the attention it deserves. This important concept, which must be applied to each federal government "office", had still not been clarified by the end of 1986, and our recent audits and follow-ups have revealed that many institutions simply do not know whether there is "significant demand" for services at their offices. Others recognize that there is "significant demand" in a number of regions or spheres of activity, but admit their resources are inadequate to meet that demand. Many organizations have serious weaknesses in this regard which, with the help of central agencies, they should take immediate steps to correct.

The same is true for the "nature of the office" concept, which also appears in the Charter and is still virtually unknown to federal institutions. We find it incredible that the central agencies have still not clarified this concept, which could have an impact on specific services to be supplied to the public.

The Treasury Board Secretariat undertook some time ago to clarify these concepts, but the results of its efforts are slow to materialize. It is our hope that its definitions and criteria will be generous enough to guarantee services of quality to our official language minorities. Bilingual services should be fully accessible to those concerned for a long enough period to enable actual demand to become apparent, something that, for obvious reasons, has not yet been possible.

Barriers to Bilingual Service

Some policies, guidelines and methods of work organization do not always take into account the basic requirements of the Act and Charter. Following are a few examples.

- Some federal organizations simply do not have a sufficient number of bilingual employees.
- Staff is too often deployed in a manner that fails to meet minority needs. Where bilingual resources are inadequate, departments should at least ensure a judicious balance of bilingual and unilingual staff in their work units.
- Approximately 8,000 (12.5 per cent) of the 64,000 Public Service positions declared bilingual by the institutions themselves have incumbents who do not meet the language requirements.
- Far too many bilingual positions are still designated by departments and other institutions at the minimum level A; as shown by the complaints we receive, this standard is inadequate for the duties of most public servants. As shown in the following table, the superior level (C) is still the exception.

Table II.1

Occupied bilingual positions by level of second language proficiency

	Number	%
C (superior)	5,633	8.8
B (intermediate)	49,758	77.7
A (elementary)	6,464	10.1
Other	2,187	3.4
TOTAL	**64,042**	**100.0**

Source : Official Languages Information System, 1986.

- If we add to the 8,000 unilingual incumbents of these positions the some 7,000 employees required to have only elementary second language skills, we see that almost one-quarter of all incumbents of bilingual positions are unable to communicate effectively with the public in both languages.
- Information and training relative to the Act, the Charter and the requirements of bilingual service are still seriously lacking, thus leaving the public all too often at the mercy of the arbitrary actions or administrative confusion of some work units.

Public health and safety

In emergency situations, the unsatisfactory level of bilingualism in some federal institutions could have serious consequences for the health and safety of Canadians. We have encountered unfortunate linguistic deficiencies in transportation, at the

offices and facilities of federal departments and agencies and in federal police and security services. Following are a few examples.

- Bilingual service on trains is often inadequate to the point where the safety of unilingual passengers may be compromised in emergencies. In a special report to the Governor in Council in December 1986, the Commissioner emphasized how important it was for CN and Via Rail to take corrective measures without delay. He was not overly impressed by Via Rail's predictable denials.
- On arrival at North Sydney, Nova Scotia, last July, Marine Atlantic's ferry, *M.V. Caribou*, was preparing to lower its heavy gangway when a mechanical failure caused the gangway to fall. Passengers were immediately asked, in English only, to go to the fifth deck. The announcement was repeated in French one-half hour later. Fortunately, no one was injured.
- In-flight safety-related announcements on aircraft are occasionally made in English only or provided much later in French.

Institutions with coercive powers

In his 1984 Annual Report the Commissioner recommended that government policies specifically confirm the obligation of institutions with coercive powers to take particular care to offer their services actively in both languages. This recommendation was not implemented and, in many cases, the services in question — those, for example, of the police, customs, taxation, grant-giving organizations and others — are still not actively offered in both languages. Following are two of many examples:

- A Francophone driver was stopped by an RCMP officer in Manitoba and, despite repeated requests, was unable to receive an explanation in French or to discover how he could obtain one.
- As a result of new data-sharing methods developed by the National Parole Board and Correctional Service of Canada, an Anglophone inmate of the LeClair institution in Quebec had to wait two months before receiving the English version of the preliminary reports of his appearance before the Board. Under the new arrangements, translations are to be done in Ottawa, but no provision has been made for the time factor involved.

Since it takes a fair amount of courage to insist on one's language rights when dealing with an official who wields coercive powers, there is a pressing need in such instances for equitable service in both official languages.

Complaints: The Public Speaks Out

The number of complaints about weaknesses in federal services rose from 913 in 1985 to 1,583 in this year, an increase of 73 per cent.

Needless to say, each founded complaint usually represents many infractions of the Act and Charter, either for a single complainant or for a number of clients.

As revealed by the many complaints from the public and by the studies and reports of this Office, for every service impeccably provided in both languages there are many inequalities and irregularities. Following are a few examples.

- For the third consecutive year the Winnipeg Employment Development Branch of the Canada Employment and Immigration Commission communicated in English with Francophone associations despite previous commitments to the contrary.

- Federal organizations that communicate with the public through the media still fail to make adequate use of the minority official language press when publishing announcements, both in Quebec and in other provinces.

- In Edmonton a Francophone telephoned the Department of Supply and Services and asked in French for the publications branch. There was a long pause at the other end of the line before the employee who had answered handed the receiver to a co-worker, who said in English, "One moment please." He then added, once again in English, "I find it strange that you insist on being served in French when you can speak English. The three employees who usually provide service in French are on vacation." That statement was false because, only five minutes later, one of the office's employees was able to answer the caller in French.

- At a post office in Moncton a Francophone asked for 100 one-cent stamps. When the wicket employee gave him one 34-cent stamp, the client said, "J'ai demandé 100 timbres d'un cent," to which the reply was, "Fifty?" The unilingual clerk continued to question the client in English without calling on his colleague who, a moment later, took it upon herself to provide the Francophone with the stamps he had requested.

Regional Overview

Every year, the Commissioner's office and the minority associations discover as many praiseworthy achievements and initiatives as inexcusable shortcomings. Our general finding this year was that service to the public did not significantly improve in the regions in 1986. A number of successes and failures bear mentioning.

- All Canadians can be proud of the success of Expo 86 in Vancouver. At the Canadian pavilion, all signage and all employees providing service to visitors were bilingual. However, the central first aid services offered by the Expo 86 organization were deficient in this regard, and the RCMP did not assign enough bilingual officers to provide its limited services in both languages. Lastly, the British Columbia Expo 86 Corporation made a number of hurried, last-minute efforts to provide some services in English and French.

- To provide its employees with better information on bilingual services available at one of its downtown Toronto offices, the Canada Employment and Immigration Commission, in a joint effort with the Treasury Board Secretariat, produced a video cassette on methods for serving the public in both languages. The recording was subsequently made available to minority associations and is a model that federal departments and agencies would do well to follow. The Commission centralized its bilingual staff in a downtown office in Toronto in 1982 and, thanks to the effectiveness of this service and the fact that it was advertised, abundant demand for service in French surfaced immediately.

- Bilingual staff are more numerous in Quebec than in other regions, and top quality bilingual service is more readily available. We nevertheless noted a number of weaknesses: telephone and personal reception services in the bilingual regions are still too often provided in French only; and written communications to Anglophones are, in some cases, either in French or in faulty English.

- The Fédération acadienne de la Nouvelle-Écosse should be congratulated for its study on the availability of federal services in both languages in Nova Scotia. The Fédération tried to determine whether telephone reception was provided in both languages and, in certain locations, investigators went to federal offices to check signage, counter services and the bilingual capacity of staff. The findings show that services in French are all too seldom available in Nova Scotia.

Last summer the formation of an Acadian advisory committee made up of representatives from Nova Scotia, New Brunswick and Prince Edward Island gave Acadians an opportunity to participate in a research project on national parks and historic sites in the region conducted by Parks Canada. Departmental representatives accepted a number of the committee's suggestions concerning Grand Pré park in Nova Scotia, and consultations are still continuing about other projects. Other federal organizations in the Atlantic region would do well to take similar initiatives.

Recommendations

Following, in summary form, is a list of measures that should be taken to improve bilingual service.

We recommend that Government:

- define more clearly and more generously the concepts of "significant demand" and "nature of the office" contained in the Charter and ensure that top quality services are *actively* offered in a vigorous and ongoing manner for a certain number of years to allow demand to surface;

- implement an information program and publish a guide for all federal employees providing services to the public to make them more aware of the concepts of "significant demand" and "nature of the office" and of the fact that they must offer services actively;
- within the next three years, eliminate the elementary level of second language proficiency (A) for virtually all positions involving service to the public;
- within the next three years, ensure that every office offering services to the public has at all times at least one fully bilingual employee (level C) capable of communicating effectively with the public on the most complex issues;
- encourage Treasury Board, as manager of the official languages program, to issue a policy on the placing of announcements in the minority official language press, and introduce proper controls to ensure that the policy is respected.

Full Participation: A Delicate Balance

In 1973 Parliament unanimously approved measures to help achieve, "within the merit principle, full participation in the Public Service by members of both the Anglophone and Francophone communities." Full participation was not a principle to be considered in isolation, but one that would lead to a fair and balanced use of both official languages in the Public Service and afford employees every opportunity to develop their full professional potential in their own language. It is thus a fundamental component of the official languages program, for without it neither effective service to the public nor equitable use of English and French in the work place can be fully achieved.

To put this year's assessment of full participation in perspective we will summarize what we have said about the subject in recent years. In our 1984 Report we described the major obstacles and recommended that Government face the more complex problems head on. In 1985, unable to report much progress, we refined our definitions of the most pressing problems and formulated three recommendations. While we would like to say that significant progress has been achieved, our audits and other findings reveal little overall improvement of significance.

Even if Government has had some success over the years in achieving Anglophone-Francophone participation rates in the federal work force that reflect fairly closely the proportion of English and French speakers in Canada, it is still a long way from realizing the objective at all levels and in all sectors. Depending on region and employment category, imbalances affect both language communities, in different but equally serious ways. Anglophones continue to be very poorly represented in Quebec, as do, to a lesser degree, Francophones in New Brunswick and northern Ontario, and there are still striking variations in Anglophone-Francophone participation rates between federal institutions.

In February 1986, when the Commissioner presented his recommendations on revision of the Official Languages Act, he suggested strengthening the concept of full participation through a precise preambular reference focusing attention on the fundamental goals of the legislation. Since one of those goals is to ensure that both language groups can participate fully in the work of government, the

preamble would reaffirm the importance of the objectives of the 1973 Parliamentary Resolution and provide a context for more specific legal or administrative initiatives.

Confusion in the ranks

Whatever the revised Act, the long-term impediments to full participation will not be overcome without strong central agency leadership and controls. Unfortunately, there is still confusion in the Public Service about the meaning and working parameters of a full participation policy, perhaps because of a perception that such criteria must be universal to be effective. Nothing could be further from the truth. Participation goals must, for instance, take the characteristics of individual institutions into consideration while ensuring that the national perspective is not forgotten. The participation balance will be a happy blend of at least four or five factors relevant to a particular body.

The present policy confusion is perhaps best illustrated by the RCMP's singular redefinition of the objective. Instead of continuing to emphasize its status as a national organization and its consequent responsibility under the Act to be — and be seen to be — open to members of both language groups, the RCMP, citing its provincial and municipal responsibilities, has sought to make the Parliamentary Resolution subordinate to operational convenience. It watered down its Francophone participation goals from 20.8 per cent to 12-15 per cent and announced the change in its internal review, *The Pony Express*. The President of the Treasury Board intervened to say that the RCMP's approach did not reflect a sound understanding of government policy. Although the new parameters had been discussed with Board officials, wires evidently became crossed somewhere in the process.

Similar confusion was manifested by the Trade Negotiations Office, another high profile organization. Rather late in the game, as a result of pressures exerted both by Government and public opinion, it tried to make its senior management a better reflection of the Canadian population. However, as things stand, Francophone participation remains what it was at the outset, around 15 per cent.

Working parameters

In our view this issue could best be addressed by establishing working parameters — for overall participation and for each employment category in an institution — through negotiations between the central agencies and individual departments. Current discussions on the establishment of formal management agreements or letters of understanding between Treasury Board and departments present an excellent opportunity to tackle this question.

But first we must get the basic concept straight. For example, the Public Service Commission and Treasury Board Secretariat have both suggested that when setting their participation objectives, departments should essentially examine the linguistic composition of individual job groups in the labour force. However, 20 years ago the Royal Commission on Bilingualism and Biculturalism stressed the need for a "partnership" concept to go hand in hand with the Official Languages Act to

produce a fairer distribution of duties and perquisites for both language groups, and not the perpetuation of the labour market *status quo*.

At very least there should be a proper system of controls to monitor implementation of government policies and directives. For several years, there was some duplication in the auditing of departments' participation activities: the Treasury Board Secretariat, while continuing to carry out its own analyses, had delegated to the Public Service Commission the authority to include participation issues as part of its regular staffing audits. However, the Board apparently did not successfully communicate the criteria for judging these elements and, in September 1986, dissolved this aspect of its agreement with the Commission. This raises new questions about how the central agencies propose to ensure a proper system of checks and balances for departmental activities. The Board will certainly have to see that its agreements with departments contain better performance criteria.

Meanwhile, owing to cuts in the Public Service, departments have lost a good deal of staffing flexibility: the process has become more laborious, and departments have to adjust to the need to reallocate personnel. Managers are understandably less inclined to think about balancing participation in their organizations when faced with the problem of lay-offs and freezes. With official languages staff also being reduced to meet cost-cutting requirements, participation becomes just one more desirable staffing objective, lumped together with the representation of women, the handicapped, and aboriginal peoples. The unfortunate effect of grouping priorities in this way is that all idea of relative distinctiveness and urgency gets lost. Departments must ensure that official languages objectives are not trodden underfoot in a stampede to "integrate" issues for the sake of saving resources.

The Overall Picture

Just what is the state of overall Anglophone-Francophone representation in that portion of the federal apparatus for which Treasury Board is the employer? Despite the fact that Francophones now make up 27.9 per cent of all employees, an increase of 0.1 per cent over 1985, Table II.3 which compares the situation five years ago with recent data, reveals continued imbalances in several employment categories. A few cases merit individual comment.

a) Top of the Heap

After all the planning and expressions of good intentions, the Public Service has failed to increase the proportion of Francophones in the all-important Management category; the percentage has in fact slipped by half a point (now about 20 per cent) in the past five years.

Of 532 deputy ministers and Governor-in-Council appointees, almost 32 per cent are Francophone. However, the continued low proportions of French-speaking employees at both the executive level and its feeder groups continue to cause serious concern.

Table II. 2

Francophone representation at senior levels of the Public Service, 1984, 1985 and 1986

	1984 %	1985 %	1986 %
Executives	22.0	20.8	20.0
Senior Managers	17.0	19.2	19.7

Source: Official Languages Information System, 1984, 1985 and 1986.

Table II. 3

Distribution of Anglophone and Francophone public servants in the entire Public Service, by professional category, 1981 and 1986[1]

Officers		Anglophones Number	%	Francophones Number	%
Management	1981	1,148	79.5	296	20.5
	1986	3,411	80.2	842	19.0
Scientific and Professional	1981	17,210	80.1	4,267	19.9
	1986	17,966	77.6	5,190	22.4
Administrative and Foreign Service	1981	39,095	72.1	15,110	27.9
	1986	39,955	70.2	16,957	29.8
Technical	1981	21,518	80.8	5,122	19.9
	1986	21,704	79.1	5,728	20.9
Total	**1981**	**78,971**	**76.1**	**24,795**	**23.9**
	1986	**83,036**	**74.3**	**28,717**	**25.7**
Other personnel					
Administrative Support	1981	49,224	68.0	23,205	32.0
	1986	46,511	66.4	23,556	33.6
Operational	1981	74,632	73.0	27,600	27.0
	1986	31,491[2]	75.3	10,316[2]	24.7
Total	**1981**	**123,856**	**70.9**	**50,805**	**29.1**
	1986	**78,002**	**69.7**	**33,872**	**30.3**
GRAND TOTAL	**1981**	**202,827**	**72.8**	**75,600**	**27.2**
	1986	**161,038**	**72.0**	**62,589**	**27.0**

[1] Canada and overseas.

[2] Significant reduction caused in part by the Post Office becoming a Crown corporation.

Source: Official Languages Information System, 1981 and 1986.

At one level below that of senior managers, Francophones account for only about 18 per cent of employees. Where are tomorrow's French-speaking managers to come from? The thinking behind such staffing decisions as those taken by the Department of Finance is hard to explain: between January and October, only two of 22 executive and senior appointments went to Francophones. No wonder, then, that the Department's overall Francophone executive complement comprises a mere 12.7 per cent of the total. Another example is the Department of Energy, Mines and Resources, where executive level Francophone participation is a poor 11.8 per cent. We commend the attention being given to this problem by the current minister.

b) Under the Microscope

A flurry of activity in the early 1980s produced some improvement in the Scientific and Professional category, where Francophones now make up 22.4 per cent of its employees, 2.5 per cent more than five years ago. However, most of this progress predates 1983, and the lack of subsequent improvement is due to several factors: reduced central agency pressure on departments, the impact on recruiting of "old boy networks" in the scientific community, tighter budgets and staff cutbacks.

As a group, the larger scientific departments, while making some progress, still fall short. Compare Francophone participation in the Scientific and Professional category in five large departments between 1981 and 1986:

Table II. 4

Francophone participation in the Scientific and Professional category in selected federal institutions, 1981 and 1986

	1981 %	1986 %
National Revenue (Taxation)	24.0	22.9
Environment	15.0	19.1
Energy, Mines and Resources	9.0	15.4
National Health and Welfare	14.0	16.3
Fisheries and Oceans	6.6	10.9

Source: Official Languages Information System, 1981 and 1986.

Energy, Mines and Resources has acknowledged that it has a lot of ground to make up and is actively engaged in developing strategies to boost Francophone participation. National Health and Welfare, despite repeated urgings from us, still has no recruitment plans to remedy the lack of French-speaking scientists.

Fisheries and Oceans cites staffing freezes and the concentration of employees in predominantly English-speaking regions as the reason for its poor situation. While this does complicate the problem, even at headquarters Francophone participation in this category is under 13 per cent.

c) Administrative Support

The Administrative Support category is essentially composed of secretarial and clerical staff who, in bilingual areas, often require a high degree of individual bilingualism. While it is therefore unrealistic to dream of overnight improvements in Anglophone participation in this category, we wonder if enough attention is being given to factors which could have a significant impact on the composition of this group.

Many entry-level positions in the category are temporary, and those that require bilingual skills must be staffed by already bilingual candidates. Some of these positions will become permanent, and the language characteristics appropriate to a temporary incumbent may come to be seen as a permanent requirement of the job. Furthermore, the same rule applies to an unusually high proportion (84 per cent) of permanent bilingual positions. What manager wants to lose a good clerk or secretary to language training? In these circumstances, the widely-held assumption that Anglophones are unilingual or less bilingual may well constitute a type of systemic barrier to increasing their presence in the category by limiting their attractiveness as candidates. This assumption is, in effect, helping to perpetuate linguistic stereotypes.

The Public Service Commission and individual departments should carefully review these factors to ensure that truly permanent positions are staffed with permanent employees, and that the requirement to be bilingual upon appointment is not applied to excess. More than one institution has decided to play it safe and stick with predominantly Francophone, bilingual support staff, leading to undesirably low levels of Anglophone participation: Department of the Secretary of State (44.5 per cent), National Capital Commission (46.8 per cent), CIDA (33.1 per cent), Regional Industrial Expansion (60.2 per cent), and the Public Service Commission (33.4 per cent) are prime examples. There are also marked regional discrepancies: in the National Capital Region, for example, only 55.5 per cent of employees in this category are Anglophone.

The Regions

a) Anglophones in Quebec

Although the gains shown in some regions are encouraging, the losses in the last column of Table II. 5 are troubling. Each year sees a gradual reduction of Anglophones' precarious foothold in both "bilingual" and "unilingual" Quebec. There are several reasons for this. First, there has been some overflow from the polarization of the language situation in Quebec, which in turn has been

exacerbated by neglect and too little positive government reaction. After a 1983 joint Treasury Board Secretariat-Public Service Commission study examined this problem, the result was a new recruitment infrastructure and more Anglophone candidates in personnel inventories; by that time, however, a lot of the damage had been done. More recently, the Public Service Commission and Employment and Immigration have been consulting with minority associations in Quebec to try to identify other solutions.

Table II. 5

Distribution of minority official language groups in the Public Service, by region, 1984-86

	Minority official language population %	Minority official language public servants			Difference 1984-86 %
		1984 %	1985 %	1986 %	
Western provinces	2.7	2.0	2.1	2.1	+0.1
Unilingual Ontario[1]	2.0	2.9	3.0	3.1	+0.2
Bilingual Ontario[1]	32.3	23.2	23.3	23.1	-0.1
National Capital Region	35.4	35.7	35.7	35.9	+0.2
Bilingual Quebec[1]	19.8	7.3	7.3	7.1	-0.2
Unilingual Quebec[1]	4.2	4.2	4.0	3.9	-0.3
New Brunswick	33.6	26.8	27.6	28.4	+1.6
Other Atlantic provinces	2.9	3.6	3.7	3.5	-0.1
Territories	2.5	4.0	3.5	3.3	-0.7

[1] Excluding National Capital Region.

Sources: Statistics Canada, 1981 Census; Official Languages Information System, 1984-1986.

These efforts seem to be paying off at the officer level: in 1986 about 17 per cent of those appointed were Anglophone. However, when we see that Anglophone participation in the Administrative Support category has declined in Quebec over the last five years (from 3.5 per cent in 1981 to 2.6 per cent in 1986) — this in spite of the growing bilingualism of Quebec Anglophones — we cannot overcome nagging doubts about how managers are making their appointment decisions. In 1986 only 1.6 per cent of appointments to this category from outside the Public Service went to Anglophones, the same proportion as in 1982. The effects of years of inattention will not be quickly overcome: many more Anglophones retire from the Service every year than enter it, so the work environment becomes less and less attractive to potential Anglophone employees and recruitment headaches are compounded. As the Commissioner noted, in a recent special report

to the Governor in Council, one solution lies in the development and energetic implementation of a carefully structured plan to attract qualified candidates based on the work currently being done by the Public Service Commission and Employment and Immigration. In particular, the benefits of hiring more Anglophone term employees and summer students should be fully explored.

b) Francophone Minority

In other regions the Francophone minority continues to be quite well-represented in so-called "unilingual areas", usually approaching its proportion in the general population. However, in "bilingual Ontario" and in New Brunswick the gap remains much wider. While some progress is slowly being made in New Brunswick by the RCMP and by Employment and Immigration, the situation in bilingual Ontario is stagnating — this in a province with Canada's largest official language minority, proportionately speaking, and a Francophone work force of at least 100,000.

Special cases

As noted in our 1985 Report, the different mandates of federal institutions and their geographic deployment can combine to influence the nature of their work force and, to some extent, the proportions of Anglophone and Francophone employees. An organization with a cultural mandate or a promotional role vis-à-vis the official language minorities, such as the CRTC or the Secretary of State's Department, might be expected to have a more even representation of the two language groups than would otherwise be normal. Similarly, departments with a strong regional base, like Fisheries and Oceans, should perhaps not be expected to have 25-30 per cent Francophone staff: however, 15 per cent is a poor showing by any standard. Every institution with a low representation of either group, no matter what its particular situation, should be striving to balance the linguistic make-up of its work force over time.

Table II. 6 lists 14 federal institutions of over 300 employees, grouping them according to their success in achieving equitable participation.

The Long-Term Approach

The tentative progress or, more often than not, the slippage, at individual levels or in particular categories, can be traced to two factors: departments attaching low priority to the participation objective; and lack of direction from central agencies. If, in seeking to improve Anglophone-Francophone participation, Government limits its efforts to ensuring that individual job competitions are open to both groups and carrying out an occasional concentrated attack on one or two problem areas, it will never successfully address the persistent imbalances found throughout the system. Progress can only be made if, as part of their long-range personnel planning, institutions are required to forecast their needs for Anglophone and Francophone employees, both overall and for specific regions and employment groups. These estimates should then be communicated to the central agencies,

which could inform English and French language educational institutions (secondary and post-secondary) of job opportunity forecasts for particular fields and seek their assistance in developing a pool of graduates. The Public Service Commission already does some promotion in its recruitment, and individual departments have launched a few special programs. Long term though it may be, this approach is the only one that will bring about lasting improvements throughout the Public Service, particularly in sectors where departments have thus far been unable to make a dent in chronic participation problems.

Table II. 6

Anglophone-Francophone participation in 14 selected[1] federal institutions

Balanced representation	**Anglophone %**	**Francophone %**
Canada Post	72.6	27.4
Employment and Immigration	66.0	34.0
External Affairs	71.0	29.0
Public Works	72.7	27.3
National Revenue (Customs and Excise)	73.6	26.4
Average performance		
Energy, Mines and Resources	75.6	24.4
Health and Welfare	76.8	23.2
National Defence (Civilian)	79.7	20.3
Treasury Board Secretariat	63.9	36.1
Transport	77.3	22.7
Poor performance		
Fisheries and Oceans	85.3	14.7
National Capital Commission	53.2	46.8
Public Service Commission	46.0	54.0
RCMP	84.0	16.0

[1] Institutions with over 300 employees.

Source: Official Languages Information System, 1986.

Where does Government stand on the three "short-term" recommendations we put forward in last year's Report? The first two, for implementation over two years, called for the establishment of participation objectives and timetables linked to recruitment plans and fair language of work practices. We do not yet see any signs of great activity. Federal institutions have much to accomplish in the next year if they are to meet our recommended schedule.

The third recommendation, to be implemented by the end of 1986, concerned problems with personnel data kept by Crown corporations and agencies outside the direct purview of Treasury Board. Some progress has been made by individual organizations but not by the group as a whole. We cannot overemphasize the importance of up-to-date information from Crown corporations. Along with National Defence (Military) and the RCMP, they employ some 350,000 people, almost 60 per cent of federal employees. The organizations with the most accurate and up-to-date information on their employees, such as Air Canada, Canada Post and Via Rail, have used standardized procedures to collect and record information about their employees' preferred official language and have impressed upon their staff the importance of maintaining the accuracy of the information. Some of these organizations are planning to make further improvements in 1987 and subsequently.

Other organizations have done little to maintain up-to-date personnel files and tend to collect and analyse data on an *ad hoc* basis. They may use partly manual, partly automated systems and a combination of sometimes incompatible sources. The best they can offer are "guesstimates" of their Anglophone-Francophone representation. Petro-Canada, the CBC and CN fall into this category, and they are not the only offenders.

Recommendations

We recognize that the weaknesses in the full participation of Anglophones and Francophones in federal institutions cannot be corrected in one fell swoop, particularly since staff cut-backs impose serious limitations on what can be done. Accordingly, if Government truly considers this aspect of the official languages program a priority, it should return to the vigorous action taken in the late 1970s. With due regard for the merit principle, we recommend that:

- through the new letters of understanding, the Treasury Board Secretariat and Public Service Commission jointly negotiate, with departments and agencies falling within their jurisdiction, parameters that take account of the situation at the national and regional levels, and in each employment category, and set generous, realistic objectives for the next three years;
- the Treasury Board Secretariat and Public Service Commission jointly intensify their human resources planning and management category staffing efforts to ensure a more equitable balance of both language groups in the senior ranks of the Public Service. Furthermore, given the present limited recruitment from outside the Public Service, we also recommend that these two agencies take immediate steps to expand the inventory of Francophones at the SM-1 level, from which are drawn the large majority of future management staff;
- Employment and Immigration Canada and other federal departments with offices in Quebec analyse the reasons for the very low Anglophone participation in the Administrative Support category in that province and take the necessary corrective action as soon as possible.

Language of Work: Having One's Say

Simply stated, the principle governing language of work is that, in bilingual regions[1], and subject to the overriding requirement to serve members of the public in their language, federal public servants should be able to work in the official language of their choice. Unfortunately, we must again report that this objective remains as elusive as ever.

Readers will recall that we have dealt at some length in past reports with the philosophical and policy aspects of language of work. In 1984 we made a number of recommendations designed to help Government fulfil two major commitments: to ensure that the equality of status guaranteed by the Official Languages Act and the Charter of Rights and Freedoms is fully respected; and to co-operate with provincial governments in support of official language minorities. Eight of our 1984 recommendations concerned language of work. When a review revealed that little had been done to implement them, we made further proposals in our 1985 Report in regard to French-preferred units and the concept of "reciprocal civic obligation". Although the central agencies showed some interest in these concepts, no concerted effort was made to translate them into practice.

Year after year, we see increases in the number of bilingual positions, coupled with a slow, gradual upgrading of second language requirements. While the statistics provide a measure of "paper gratification", our linguistic audits and the increased number of language of work complaints we received in 1986 indicate that little has changed and that the ongoing process of infrastructural adjustment is having little impact on the use of French in the Public Service. Bilingual reference material, lexicons and electronic data bases, job-specific language training, and revision and editing facilities are all of considerable help, but they cannot, in themselves, promote linguistic equality.

Lack of clarity

The messages on language of work emanating from Government, the central agencies and the upper echelons of the Public Service are, at times, less than clear. Employees are unsure of their rights, and managers at all levels generally

[1] Federal policy designates the following regions as bilingual for language of work purposes: Montreal, parts of the Eastern Townships and the Gaspé; parts of eastern and north-eastern Ontario; the entire province of New Brunswick; and the National Capital Region.

do not appear to know what they should be doing to respect those rights. As always, there are exceptions: executives at Treasury Board, Justice, and Regional Industrial Expansion, for example, have made laudable efforts to increase the use of French. But the overall impression, based on an analysis of the results, is that a number of key ingredients are missing.

What, then, are the major systemic barriers preventing new gains in language of work?

Initiatives of Our Own

This year we conducted three pilot studies of the linguistic work environment in three federal institutions, using a new survey questionnaire during our audit interviews with bilingual public servants. The results revealed a general consensus among Francophone respondents about the major obstacles to French language use:

- in meetings where Anglophones and Francophones are present, Francophones feel obliged to express themselves in English;
- meetings attended by senior public servants are conducted in English;
- having mastered English early in their careers, Francophones have become identified as English-speaking by their Anglophone peers;
- since Anglophones do not require a thorough knowledge of French for career advancement, their use of French remains limited.

Most Anglophone respondents identified the following obstacles to the use of French:

- the overwhelming majority of work received is written in English and is normally dealt with in that language;
- speaking English at work is a deeply entrenched habit;
- meetings attended by senior public servants are conducted in English;
- specialized work-related terminology makes the use of English indispensable.

Privilege versus equality

It would thus appear that senior public servants are seen by both groups as privileged individuals who act as if they were exempt from normal language of work obligations. While these are general perceptions to which there are, no doubt, some real exceptions, they are nonetheless damaging for an effective language of work regime. By virtue of their power and status, senior managers are better placed to choose and indeed impose the language they wish to use in their communications with subordinates. If that power is abused, either because they cannot or will not use French in day-to-day activities, the already disadvantaged status of the minority language is further eroded and, by a sort of domino effect, all managers feel a little less guilty about neglecting their language of work obligations. In such an environment, the right to choose French as a language

of work remains largely theoretical even though clear policy guidelines dictate that employees in bilingual positions are to be supervised in the language of their choice.

In an effort to verify our reading of the situation, we held a number of meetings with representatives from Crown corporations and federal departments. They tended to confirm our language of work findings and expressed the general view that there had been few signs of real progress. They put forward the following explanations for this state of affairs:

- between 30 and 40 per cent of supervisors and senior managers occupying bilingual positions have inadequate second language skills and thus represent a systemic barrier to the increased use of French;
- too many supervisors and senior managers, many of whom have benefited from language training at public expense, make no effort to supervise French-speaking employees in French or otherwise encourage its use as a language of work;
- the intermediate or B level standard of second language proficiency, which is what most senior and middle managers must meet, is often inadequate: superior proficiency (level C) should become the minimum requirement for many, if not most, of these positions;
- present government and departmental guidelines are often unclear or ambiguous: employees are left wondering what their language of work rights really are;
- supervisors and senior managers, through their behaviour, show a clear preference for English as a language of work, which acts as a bias against French.

What 1986 has demonstrated more clearly than ever before is that, some 13 years after the 1973 Parliamentary Resolution made linguistic equity in the federal work place one of the principal objectives of the official languages program, there is still no effective government strategy for correcting these bureaucratic biases.

Toward New Attitudes: Employer-Employee Relations

How do public service managers perceive language of work? The evidence gathered from our linguistic audits and the complaints we received suggests that many of them think it a nuisance. In fact, language of work would be better considered as a question of employer-employee relations. In their 1982 analysis of America's best known companies, *In Search of Excellence*, Thomas J. Peters and Robert H. Waterman concluded that the key to the success of the best enterprises was their belief in the notion that people are worthy of respect and must be treated "as the primary source of productivity gains". This idea has been widely accepted, and yet the link between the notion of respect for the

individual and for that individual's language is one that many public service managers at all levels have failed to grasp.

People perform better, and are more likely to be productive, when working in their own language. It follows, therefore, that encouraging as many public servants as possible to develop professional expertise in their preferred official language is one means of increasing productivity, and this can only be of benefit to Government and its managers. The federal government has said, in effect, *this is possible*; but when push comes to shove, it is made virtually *impossible*, not simply for lack of a propitious work environment, but also for lack of human attention and effort — for lack, indeed, of honest management.

The Supervisor as Linchpin: A Few Proposals

Modifying attitudes and linguistic behaviour is plainly a difficult undertaking, but without senior management leadership and example, it is probably an impossible one. Leadership begins in the meetings of senior management. Ideally, these meetings should always be chaired by a bilingual person and all participants should be actively encouraged to intervene in their preferred official language. The chairperson can quite unobtrusively set the tone by inviting interventions in the language of the person called upon to speak. In this regard, we strongly recommend a recent Treasury Board publication, *Chairing Meetings in Both Official Languages*, which offers useful techniques with which managers would do well to familiarize themselves. In any event, by holding bilingual meetings senior management would, in effect, pass on an important message to middle managers.

The concept of *active offer* is normally used in the context of service to the public; but it is just as important in the work milieu, where the trick is to get the manager or supervisor to actively invite staff to use their preferred official language as much as possible in all aspects of their work. The manager is the one who evaluates employee performance, and public servants perform better in their own language. It is logical, therefore, to give employees every reasonable opportunity to demonstrate their worth.

Last year we proposed recognition, at the highest policy level, of a reciprocal *civic obligation* between the two language groups in the Public Service. In addition to the fundamental notion of mutual respect for each other's language, the idea was that Anglophone supervisors in particular would have the obligation to actively encourage the use of French and to create an environment propitious to its use. The reciprocal obligation of Francophones was simply to make it their normal practice to use their own language at work. Such a code of conduct, if implemented, would clearly lead to gains for both groups: language skills, like playing a musical instrument, improve with practice, and Anglophones would certainly get a lot more practice. Francophones, on the other hand, would benefit from increased opportunities to work in their own language and develop a greater sense of security and fulfilment in using it.

Interest in French

Ninety per cent of the translation in the Public Service continues to be from English to French. At the same time, a 1984 Treasury Board survey of language use in bilingual regions revealed that 46 per cent of Anglophone respondents wanted to increase their use of French in the work place. It is an interest that is manifestly not being adequately exploited. The concept of civic obligation could help change that.

Despite Government's silence on this point, we think it deserves to be taken a step further. The obligation of the supervisor or senior manager, up to and including the Assistant Deputy Minister (ADM) level, to actively foster the use of French (or English in bilingual regions in Quebec) and to create an environment propitious to its use should be included in the contract or statement of objectives of all managers so they can be held accountable for performance in this area. The civic obligation would thus become firmly wedded to a statement of professional duties. The various components of the language of work principle (supervision, conduct of meetings, performance appraisals) should also be carefully spelled out in the statement of objectives.

Retesting executives

In our opinion, this approach would help put an end to the corrosive laxity that has now become common, with such dire effects on the vitality and creativity of the French language and culture. It would also give managers at all levels a practical reason for acquiring and maintaining effective second language skills. Indeed, the latter would virtually become obligatory tools for success as a manager in bilingual regions. Senior managers in the Executive group, just like recipients of the bilingualism bonus, should be retested in the next three years to ensure that their acquired language skills have been maintained. Those who are really in the habit of supervising their staff in the appropriate language should have no difficulty meeting this requirement. It would also seem logical to provide some specific training in language of work management and manners.

These proposals will not work if departments continue to allow unilingual supervisors to occupy officially designated bilingual positions. This is best illustrated by the case of an employee of the Department of Communications who complained that various managers in bilingual positions could not understand French and that, because of this situation, meetings were held in English. In this instance, our correspondent's immediate supervisor was also unilingually English. Here was an employee, surrounded by colleagues and supervisors in bilingual positions, who literally could not use his first language because he would not be understood. This problem still exists in many departments, and no ready solution is forthcoming. But since most of these departments have managed to find a way to provide service to the public in both languages, perhaps the real reason for lack of progress in language of work might be that the matter has been given inadequate priority or that Francophones are regarded as "nature's bilinguals". If such is the case, a change of attitude is long overdue.

Is Your French "On the Level"?

Recognizing that the most senior staff of the Public Service must set the tone for departmental operations, Government requires all employees appointed to bilingual positions in the Executive group in bilingual regions to possess language skills at the intermediate (B) level. The same applies to Assistant Deputy Ministers who are appointed for the first time or who move from one ADM position to another in the National Capital Region. But the B level is often inadequate for such key positions. For most of them, the superior level C should, over time, become the recognized standard.

At the lower echelons of management, the general provision is that vacant bilingual positions which entail the supervision of members of both language groups require the B level. Since this is often inadequate, it is all the more astonishing that departments are still permitted to staff such positions at the even lower A level provided they are satisfied that it "correctly reflects the linguistic proficiency required to provide supervision to public servants." If public servants were Clydesdale horses, this might prove eminently satisfactory, but we find it hard to imagine that there are many supervisory jobs in the Public Service for which the words "whoa" and "giddyap" would be sufficient, and this is just about where level A takes you. After more than 17 years, it is time to require B level skills of virtually all supervisors and to increase substantially the number of supervisory and managerial positions requiring the C level. Obviously, this will have to be done over time and the central agencies will want to set realistic targets — for example, that 35 per cent of all senior managers and supervisors possess C level second language skills by 1995. Of these, perhaps 50-60 per cent could be senior managers in the Executive group. But whatever target is eventually set, the important thing will be to pursue it with vigour.

An Exception for Every Rule

During the year Treasury Board did a number of things that affected the language of work environment. Among them, it authorized the Public Service Commission to extend the time limit for employees to meet the language requirements of bilingual, "non-imperative"[1] positions. Other changes involving bilingual "imperative" positions of certain senior executives now allow departments and agencies, without first seeking the Board's agreement, to request the Commission's approval:

- to exempt employees appointed to a bilingual Executive position in a *bilingual region* from having to possess B level second language proficiency as a prerequisite for appointment; and
- to waive the B level proficiency prerequisite for persons appointed to an Assistant Deputy Minister position in the National Capital Region.

[1] "Non-imperative" means that the successful candidate need not be bilingual on appointment; "imperative" means that he or she must be bilingual on appointment.

These exemptions would normally apply in cases where it can be demonstrated that an appointee has not had the opportunity to learn and maintain second language skills. This is a broad loophole, generously fraught with potential for abuse. Once a position has been designated as bilingual-imperative, it should be staffed *only* with an already bilingual person. Otherwise the notion of "imperative" staffing is pointless. It was introduced — almost 10 years ago — to put an end to the sieve-like process of endlessly adapting a job's language requirements to the actual skills of potential or intended incumbents. Exemptions *within* imperative staffing are not only a contradiction in terms, they are an open invitation to juggle with the merit principle. Either there are serious job requirements to be met or there are not, but language cannot be an imperative element of merit one minute and not the next.

There is another major negative side effect to the new directives: some departments have already seen them as a sign of growing central agency indifference to an already ailing language of work program. Should this perception spread, the ordinary employee's chances of freely choosing to work in English or French will, sooner or later, be dealt yet another blow, one from which it may be impossible to recover.

The problems we have touched on are difficult, but by no means insurmountable, and we again urge Government to give serious and sustained consideration to our recommendations and spell out clearly the rights of public servants in a revised Official Languages Act. With the right mixture of leadership from senior public servants, clear policies from the central agencies and adequate implementation and monitoring strategies, the language of work program has a good chance of being put on the right track.

Recommendations

- Senior management meetings should be held in both official languages and the most senior bilingual person present should set the example, preferably as chairperson.
- The concept of active offer must also become part of the language of work professional ethic: employees must be clearly invited to use their preferred official language.
- As an additional refinement to the concept of "reciprocal civic obligation", the obligation to actively foster the use of French and to create an environment propitious to its use must be spelled out in the contract or statement of objectives of managers so that they can be held accountable for performance in this area.
- Training should be provided in language of work principles and practices; it should include guidance on bilingual supervision, the conduct of meetings, performance appraisals, and so on.

- Given that the B level of second language proficiency is often inadequate for key management positions, the number of supervisory positions requiring C level skills should be increased progressively on the basis of realistic targets. At the lower echelons of management, the A level should be considered adequate only in very rare cases.
- All executive positions designated as bilingual-imperative should henceforth be staffed, without exception, by bilingual persons.

* * *

Readers interested in learning more about how the three language policy objectives discussed above translate into operational terms are invited to turn to Part III of this Report, which assesses the 1986 linguistic performance of 50 federal institutions.

PART III

Language Equality in Federal Institutions

Fifty Players: In Word and Deed

The federal institutions whose linguistic performance is described in the following pages have been selected on the basis of three criteria: i) they were the subject of a linguistic audit or a follow-up study completed by this Office in 1986 (relevant vignettes are marked with an asterisk); ii) they provide major services to the public across the country; iii) they play a pivotal role in the machinery of government. The performance of institutions not included here has nevertheless been thoroughly examined and will be discussed another year. The following pages will serve as a point of reference for future reports presented by the Commissioner to Parliament or Government.

Each description indicates at the outset whether the institution has made significant progress in implementing official languages objectives in 1986, has remained static or has regressed. There then follows a capsule summary of performance in three key areas: service to the public, language of work, and equitable participation. These, according to the 1973 Parliamentary Resolution, constitute the three components of language equality. The stock term "service to the public" means the provision of service, not only upon request, but in an actively offered and easily accessible form, in the official language chosen by the client. "Language of work" means the freedom of employees of federal institutions located in bilingual areas to carry out their daily tasks in English or French. And "equitable participation" refers to the opportunity for both English-speaking and French-speaking Canadians to participate fully in employment offered by the federal public sector. Our analyses deal with each of these areas in turn, as well as with management of the official languages program. Finally, the number of founded complaints received in 1986 is noted and compared with the total for the previous year. Where pertinent, the salient features of individual complaints are described, along with trends related to the subject, geographical area or organizational unit concerned.

Readers of the 50 analyses should gain a good sense of what has been accomplished in official languages by these federal institutions over the past year. Those with a general interest in the topic will be better versed in our findings and better prepared to assist this Office as informed observers; those responsible for official

languages programs at all levels of management will see what still needs to be accomplished and, we trust, will make even greater efforts to achieve language equality within their organization.

Agriculture*

The Department of Agriculture made little progress in official languages this year. Since its linguistic performance is still weak, it should step up its efforts to comply more fully with the Act. In this regard, the creation of an official languages steering committee responsible for exercising stricter controls and correcting weaknesses was a step in the right direction.

The Department's overall bilingual capacity grew slightly this year with increases in the number of bilingual positions (2,717 compared to 2,611 in 1985) and in the proportion of qualified incumbents, which rose from 83.7% last year to 85.2%. Unfortunately, this improvement did not result in a more active offer of bilingual services outside Quebec, the National Capital Region and New Brunswick. Of the 6,500 employees in the other regions, only 126 occupy bilingual positions, an extremely low figure indeed.

French is inadequately used as a language of work outside Quebec, but the Department is addressing this question. It has maintained groups that work in French in the National Capital Region and has taken steps to encourage employees to draft documents in French and use that language in meetings.

Francophone participation has remained almost unchanged since last year at 21.2% (2,572 out of 12,109 employees). The regional situation shows no change: Francophones are under-represented in New Brunswick (16.3%), in Ontario outside the National Capital Region (2.9%) and in Manitoba (0.8%). Furthermore, Anglophone participation in Quebec slipped once again and is now only 3.9%. There are also major disparities between various hierarchical levels and employment categories: Francophones represent barely 10% of the most senior employees and 13% of the Management category.

As regards program management, managers are held responsible for achieving official languages objectives in their sectors. Language audits are the responsibility of the Audit and Evaluation Branch. All departures from the Department's language policies are brought to the attention of the Official Languages Division, which in turn contacts the managers concerned.

We received 10 complaints against the Department this year, compared to 13 in 1985. Eight concerned written communications with the public, particularly the use of the minority official language press. The remaining two focused on a memorandum written in English only and on the language requirements of a position.

Air Canada*

Air Canada's linguistic situation underwent little change in 1986. It continued to make slow, but steady, progress in service to the public, and deserves special mention for its excellent linguistic performance at Expo 86: all staff at its pavilion were bilingual, and signage was in both official languages. On the other side of the coin, however, despite a slight increase in the number of Francophone managers, French is still under-used in the work place. Persistent weaknesses will not be corrected unless managers are better informed about their linguistic responsibilities and stricter controls introduced. In short, if the Corporation wishes to promote the equality of status of both official languages within its organization, it must take immediate action to comply more closely with the principles of language reform.

Some bilingual staff are generally assigned to all Air Canada flights. We have noted that the units responsible for assembling crews are careful to comply with the minimum bilingual capacity standards set for each flight. Thus, since at least one bilingual attendant is aboard each aircraft, it is only infrequently that regular announcements are not made in both languages and, according to data collected by the Corporation, more than 90% of impromptu announcements are bilingual. However, although more than 60% of all flight attendants speak English and French, personal service in both languages is not available at all times. Although the Corporation asks that its unilingual flight attendants call on a bilingual colleague, when necessary, this procedure is not always easy to follow. Air Canada recognizes this weakness and is continuing its efforts to increase the number of bilingual flight attendants.

The Corporation will nevertheless have to be more dynamic if it is to provide service actively in both languages. Francophone passengers are very often addressed in English only when greeted at the door of aircraft and when served in flight. Air Canada this year instituted a customer awareness program for flight attendants which focuses in part on the need to respect passengers' language preferences. The program is excellent and the Corporation should take many more similar initiatives to improve the active offer of service in both languages, the weakness of which we have been reporting for some years now.

The linguistic quality of ground services in Canada varies considerably by location and type of service. With few exceptions — notably Sydney, Nova Scotia — telephone reservation is generally available in both languages at all times across the country. However, the bilingual capacity of staff assigned to city sales offices outside Quebec is still very low and non-existent in Saint John and Sydney.

Of the 31 airports served by Air Canada, 13 do not yet meet the minimum bilingual capacity requirements set by the Corporation itself. This is mainly because, in certain instances, those requirements are very high; however, two of these — Ottawa and Moncton — have an appreciable number of bilingual agents. Weaker examples include Saskatoon airport, where only two of 20 employees are bilingual;

Saint John (1 in 8); and Winnipeg, where the number of bilingual agents declined from 22 of 74 in 1985 to 17 of 84 in 1986. As a result, announcements are sometimes made in English only. However, it is direct communications between passengers and agents that suffer most from this lack of bilingual capacity. The Corporation is relying on recruitment and language training to correct this weakness but, until it acquires adequate numbers of bilingual personnel, it must try to make the most of existing bilingual resources. Air Canada thus urgently needs to deploy its bilingual agents in a more effective manner in each airport and introduce stricter controls for identifying counter positions where service is available in both languages. A continuing, more active effort is also needed to make agents more aware of passengers' language rights: many of the infractions brought to our attention were the result of employee forgetfulness or negligence.

It is fortunate that Air Canada management has agreed to take appropriate steps in this regard, particularly at a service point as central as Toronto International Airport. The complaints we continue to receive about that airport reveal that adequate service in French is still not provided.

Air Canada ground personnel are no better at providing active service in both languages than flight attendants. Staff at airports and city sales offices rarely comply with corporate directives on bilingual greetings. This situation appears to stem from a lack of conviction on the part of management, which is somewhat less than enthusiastic about enforcing its directives. It is nevertheless an established fact that the language an agent uses in greeting a customer often determines the language that will be used in the ensuing exchange, and that bilingual greetings therefore remain the surest way of respecting a passenger's language preference.

Outside Canada, the situation varies from place to place. Air Canada's services are generally available in both languages in Europe and increasingly so in the United States. However, major weaknesses persist in the Caribbean, where two of 10 service points have no bilingual capacity. In addition, none of the Corporation's agents in the Singapore and Bombay regions is bilingual.

Air Canada's written communications with the public are either bilingual or in the language of the customer's choice. However, the Corporation still refuses to use English on its billboards in Montreal, an entirely unacceptable practice given its large English-language clientele in that city.

At year's end, we were still examining the language of work situation at the Maintenance (mechanics), In-flight Services (flight attendants) and Air Operations (pilots) branches. Data obtained to date clearly show that it has been difficult to introduce French as a language of work in Quebec. Progress has of course been made since our last review of these sectors in 1977. Administrative communications, for example, are much more readily available in the language of the employee's choice. As well, non-technical work documents are available in both languages. In addition, even though this issue is still before the courts, the Corporation has agreed this year, on an experimental basis, to make available

to mechanics a number of bilingual job cards (used daily by staff assigned to aircraft checks). While awaiting a decision from the Quebec Court of Appeal — a decision that Air Canada is trying to obtain as quickly as possible — our Office will conduct regular follow-ups on implementation of this commitment. English, however, is still the principal language of daily operations at the Maintenance and Air Operations branches in Dorval. The particularly technical nature of work in both branches, the broader linguistic implications of which cannot of course be denied, is nevertheless an inadequate reason for the situation. Old work habits and a large number of unilingual Anglophone supervisors and employees are major impediments to the use of French as a language of internal communications. Furthermore, training courses for pilots and specialized mechanics are always given in English. In short, of the three sectors covered by our study, only In-flight Services appears to afford employees any real opportunity to work in both languages.

The Corporation has not completed its review of the language requirements of its positions with regard to language of work needs. The review, which Air Canada began last year following extensive organizational changes and which we hope to see completed in 1987, should give the Corporation a powerful tool with which to help it conduct internal operations in the official language of its employees' choice. However, the language of work situation will of course not improve substantially if management does not show itself more determined to act in this area.

Of the Corporation's 21,483 employees, 21.9% are Francophone. Although this percentage is identical to last year's, Francophones now account for 19.1% of Management as compared to 18.9% in 1985. A major effort is required if the proportion of Francophone pilots with Air Canada is to increase from the current 14% for Canada as a whole.

As a result of current economic pressures, Air Canada management is finding it difficult to give proper priority to its official languages program. In addition, corporate managers, whose support for the program's objectives is at times lukewarm or who show little determination in finding ways to achieve them, appear inadequately prepared for a complete integration of official languages responsibilities with other operations. For that reason, we ask that Air Canada strengthen its existing control mechanisms and provide its managers with better training in their linguistic responsibilities. We trust that the network of official languages co-ordinators which Air Canada recently created and which affects all its services — a very commendable initiative indeed — will help achieve this end.

Most of the complaints received against Air Canada dealt with ground services (69), 16 of them Toronto airport; another 23 related to in-flight services, and nine concerned language of work. The Corporation's advertising practices generated approximately 100 communications, most of them relating to the non-

appearance of advertising in the minority press; at year's end, we were still trying to determine which of these cases might be considered as founded complaints.

Auditor General*

The renewal that began last year at the Office of the Auditor General progressed slowly in 1986. Our follow-up this year revealed that it has taken certain initiatives, particularly with respect to the availability of work documents and central services in both languages. However, the Office is taking its time implementing certain recommendations of our 1984 audit. It has not yet adopted its official languages program as expected or its revised language policy. The Office has a fairly good bilingual capacity, but is still not actively offering service in both languages to client departments. The unilingualism of a number of supervisors inhibits a more equitable use of French in the work place. Both language groups are well represented in all employment categories except Management, where there is an inadequate number of Francophones.

One of the positive points is that more than 60% of the Office's positions (375 of 620) require knowledge of English and French and that 93% of those positions are occupied by bilingual employees. The Office strives to form separate audit teams in each language according to the linguistic composition of client departments. The Office accepts the principle that each team should nevertheless be able to communicate in the language of each client during its audits. However, in many instances, Office staff does not take account of the language preferences of representatives of the departments with which it communicates. As a result, interviews with departmental managers are often conducted in the language of the auditor rather than that of the interviewee. At the Halifax office, whose staff conducts audits in the officially bilingual province of New Brunswick, only one of the 12 auditors is bilingual. This is clearly inadequate. The Office has not accepted our recommendation that it submit its preliminary audit reports to departments in both languages because it considers the translation and revision of those documents would require too many resources. We, however, still believe that the reports should be translated because they are important work documents for public servants of both language groups. The Office could at least do so as part of a pilot project, beginning with the least complex reports.

The Office achieved some progress in language of work. Supervisors were reminded of the need to prepare performance appraisals in the language of the employee's choice. The bilingual capacity of the Professional Practices Group and the Compensation Section increased, and audit guides and bulletins are available in both languages, except for certain guides used by the Computer Audit Group. Worthy of note is the electronic data processing group's initiative to develop bilingual financial audit software, which is now used by Office staff and accounting firms. Audit mandates are sometimes submitted to the Montreal office in English, a practice that should long have been abandoned. Major weaknesses persist in supervision; nearly one-third (44 of 139) of manager, director and

principal positions, which usually include supervisory duties, are unilingual. And, while auditors are required to supervise audit teams, the Office has failed to establish language criteria for these positions, and some Francophone auditors are not supervised in their own language.

The participation of both official language groups is fairly well balanced in overall terms and in most employment categories. Two-thirds of the Office's 620 employees are Anglophone, one-third Francophone. As a result of its on-going recruitment efforts, the Office now has good Francophone representation (36%) in the Scientific and Professional (auditors) category. However, despite a slight increase over last year, Francophones are still under-represented in the Management category, where they account for 17% of employees (33 of 192).

Senior management continues to be sensitive to official language matters, but should take immediate action to make middle managers understand the importance of those matters as well. We trust the official languages program, which is to be approved shortly, will contain specific measures designed to make managers more accountable for language matters in their respective fields of activity, and that it will set specific objectives and clearly state that managerial performance in this area will be taken into account in annual appraisals. The existence of more formal audit activities would also enable senior management to assess progress more accurately. We commend the Office's initiative of including a section on official languages in its orientation program for new employees.

We received no complaints against the Office in 1986.

Bank of Canada

The Bank of Canada is continuing to make progress in official languages by maintaining an energetic program of controls and innovation. Not only did the Bank maintain its good service record in 1986, it also launched new activities as part of a program to promote French as a language of work. The challenge facing the Bank in this area is to increase its proportion of bilingual supervisors. As we reported last year, Francophones could be better represented numerically at the Bank's senior levels and Anglophones are slightly under-represented in the Operational category.

With its 1,065 bilingual employees (45% of the total), the Bank is able to offer its services actively in both English and French, at headquarters as well as in the regional agencies. As part of the ongoing monitoring of these services, the Bank has begun to evaluate telephone reception at the agencies and the quality of services provided in the minority language. The management committee has authorized translation of a catalogue of technical reports for the use of university students and staff.

A lot of time and effort goes into the Bank's language of work program as it seeks to improve its already solid record in this area. Among the special initiatives launched this year were the acquisition of new software to aid glossary

development and thus provide more accurate, efficient translation, and a "French days" project which gives all employees the chance to use French as their language of work on pre-determined days. The Bank also continued its employee exchange program, whereby employees have the opportunity to work for specified periods in their second language in a regional operation. The Bank invests heavily in language training and its three largest offices employ full-time language teachers. At present, just over half of the Bank's 424 supervisors are bilingual; the remaining 46% have priority for language training during working hours.

The Bank has a total of 2,387 employees, two-thirds of whom are Anglophone. In the Operational and Administrative Support group, Anglophones represent only 62.2% of some 1,700 employees, whereas in the two professional groups (Analysis and Administration), Francophones are somewhat under-represented (22.7% and 21.2%), as they are among management (21.4%).

The official languages program at the Bank is well integrated with managerial responsibilities and benefits from visible commitment at the top. We received no complaints about the Bank in 1986.

Canada Council

In 1986 the Canada Council's official languages situation remained unchanged. Service in both languages continued to be readily available, but there was no evident progress on other fronts. Even though the proportion of Francophones remains too high overall, French does not have equal status as a language of work. Furthermore, management has made no commitment to improve administration and implementation of the official languages program.

Since 204 of the 231 employees are bilingual and occupy positions requiring the use of both languages, a high level of bilingual service to the public is assured. Publications are bilingual and correspondence is sent out in the appropriate language. On occasion, however, the French version of a publication comes out long after the English one; this year, for example, Francophones in the Atlantic region had to wait six months to receive information in their language on the *Debut Atlantic* program. The Council is an important lifeline for cultural groups of both language communities and generally serves them well, but it did not act on our suggestion last year that it review its programs to ensure that minority language artists and groups receive adequate support.

The inadequate status of French as a language of work at the Council has not changed over the year despite the high number of Francophones on staff. Although minutes of the meetings of the Council itself are now bilingual, the continued unavailability of certain work documents in French is not conducive to an increased use of the language. Some Francophone employees still cannot be supervised in French because their supervisors are not bilingual, a situation noted in the audit conducted by this Office in 1983, but one on which little action has been taken.

The 40% overall participation of Anglophones at the Council is far from equitable, and the imbalances are even more glaring at the administrative support level (19

of 107 or 18%) and among officers (54 of 97 or 56%). On the other hand, only one of the five senior managers is Francophone.

Since there are no distinct levels of second language skills required for bilingual positions, no adequate control over the actual linguistic capabilities within the organization can be exercised. A committee set up last fall is to examine the question. In addition, the Council has not yet revised its outdated official languages policy despite an audit recommendation in 1983, the 1985 follow-up report to our audit and comments to this effect in our last two Annual Reports. Nor has there been any progress in setting official languages objectives and holding section heads accountable for their implementation. Clearly management must give a higher priority, on an urgent basis, to the official languages program at the Council.

One complaint was received against the Council in 1986 compared to none the previous year. It concerned a form letter sent in English to a Francophone and was quickly resolved.

Canada Mortgage and Housing Corporation*

The Canada Mortgage and Housing Corporation made little real progress in official languages in 1986. It worked hard to regain the capacity to serve the public in both languages that had been lost in a second round of downsizing and subsequent reorganization. No headway was made, however, in encouraging the use of French as a language of work or in correcting imbalances in the participation rate of Anglophones in Quebec and of Francophones elsewhere.

Telephone and person-to-person reception are bilingual at most CMHC offices across the country, although this year's audit turned up several exceptions in Quebec, Ontario and the West. The Vancouver office, however, has recently hired a bilingual receptionist, and bilingual capability lost earlier in Windsor and Sault Ste. Marie has been at least partially restored as a result of employees in these offices improving their second language capacity through language training.

In certain Ontario offices and in the Prairie and Pacific regions, few positions are designated bilingual and the capacity that exists does so more by luck than by design, thanks to the fortuitous presence of a few bilingual employees. Our recent audit report calls for linguistic designations to be reviewed regularly so as to ensure a bilingual capacity sufficient to meet actual demand, and for more vigorous efforts to inform the minority public that service in both languages is available.

CMHC is negotiating or has concluded agreements with provincial governments that effectively transfer responsibility for its social housing programs to its counterparts at the provincial level. The Corporation has tried to ensure that these programs will continue to be available to the public in both languages, but, despite some success in obtaining provincial commitments to produce bilingual publicity material about the programs, only New Brunswick and Ontario have so far agreed that service will be provided in both English and French.

Our audit once again confirmed that, outside Quebec, English remains the Corporation's only real language of work. Our survey revealed that many Francophones are supervised entirely in English, while performance appraisals are often conducted, not in the language of the employee's choice, but in the language chosen by the supervisor. Many employees, both Anglophones in Quebec and Francophones at the National Office, accept this arrangement, which they view as virtually a matter of courtesy towards unilingual supervisors. Unfortunately, this co-operative attitude is not matched by any new, visible effort by the Corporation to fulfil its responsibility to encourage the use of both English and French in the work place. Important meetings where Francophones are present have been conducted entirely in English and, as a further indication of the status of French, all professional training and development programs initially offered in French in 1986 were cancelled due to lack of registration. One positive point was that, on being informed that auditors had noticed several English-only signs in its National Office building, the Corporation took immediate action to replace them with bilingual versions.

At first glance, CMHC's participation picture appears relatively well-balanced, the overall percentage of Francophone employees holding steady at 32%. The distribution of Anglophones and Francophones in Management and Professional category positions is 70-30%, but only 19.6% of positions at the executive and senior levels are occupied by Francophones. Conversely, in the Administrative Support and Operational categories, Anglophones are slightly under-represented at 65%.

Analysis by region reveals that of a total Quebec work force of 423 employees, only 10 are Anglophones (2.4%), while in the regions west of Ontario, only 10 out of 609 are Francophones (1.6%). These imbalances are of major concern and our audit report calls for a concrete plan to rectify them.

CMHC gave top priority in 1986 to redeploying personnel whose positions were being phased out, but did so without regard to matching these employees to the linguistic profiles of the new positions. As a result, the number of unqualified incumbents of bilingual positions jumped from 186 (22.8%) at the end of 1985 to 326 (39.4%) on September 30, 1986. Language training is now being provided but the impact on both service and language of work of such a significant increase in unilingual occupants of bilingual positions will require careful monitoring.

A major effort to promote the use of French within CMHC is overdue. We found that many managers had no input into the corporate official languages plan and little knowledge of or commitment to its objectives. Managerial accountability for official languages is therefore lacking and the official languages group at National Office does not possess the resources to carry out the program on its own.

The total number of complaints lodged against CMHC in 1986 rose to 18, compared to the corrected total of seven for 1985. One complaint about unilingual service from an office in Winnipeg and another concerning unilingual telephone

reception in Vancouver have been resolved satisfactorily. Two others drew attention to minor printing errors in publications and were quickly corrected, but a complaint regarding unilingual reception in Charlottetown is still outstanding. The remaining 13 involved questions related to the use of the minority language press for certain kinds of advertising, six in Nova Scotia and seven in Saskatchewan. This is part of a larger issue which has yet to be satisfactorily resolved.

Canada Post Corporation

The Canada Post Corporation appears to have reached a linguistic plateau. Small gains in service to the public and in official languages program management have been offset by lack of progress in the promotion of French as a language of work and a continuing imbalance in the participation rates of Anglophones and Francophones. On the whole, the Corporations's approach to language reform is systematic and well-planned, but concrete results are achieved too slowly.

With about 8,000 postal outlets and over 63,000 employees serving Canadians throughout the country, it is not surprising that the Corporation's main linguistic accomplishments — and persistent shortcomings — fall in the category of service to the public. In 1986 it began work on a new action plan by evaluating the extent to which the existing network of roughly 1,200 bilingual post offices adequately serves areas with concentrations of minority language clients. The Corporation also began to develop standards governing the minimum number of bilingual offices and counter clerks required in areas where demand is significant. These are praiseworthy but long overdue initiatives. A case in point is the Harcourt post office in New Brunswick, serving an area where 40% of the population is French-speaking. A Francophone correspondent reported that she had to ask bilingual friends to accompany her to the post office because neither of its employees could serve her in French. When a bilingual position became vacant, the Corporation decided initially to staff it with a unilingual incumbent, but then changed its mind, opting instead to appoint a bilingual candidate.

Progressive introduction or improvement of bilingual counter service has continued: 11 of the 12 locations scheduled for the 1985-86 fiscal year now offer service in both languages, as do four others originally planned for 1987 or 1988. The criteria for identifying areas of significant demand are generally appropriate. The Corporation should, however, be more flexible in this regard and include in its planning such symbolically important cities as Charlottetown and St. John's, which receive many visitors, including tourists, business people, and residents from other parts of their respective provinces. Special attention should also be paid to the New Direction Outlets (postal boutiques) appearing in a number of cities. Three of the five original boutiques now provide service in both languages; however, of the four that were opened in 1986 only the one in Moncton has a bilingual capability. The Winnipeg, Hamilton and Quebec City stores have bilingual positions but their incumbents do not meet the language requirements.

To gain better control over the employment, work scheduling and redeployment of bilingual staff, Canada Post should place stronger emphasis on official languages considerations during union negotiations. This would greatly facilitate the provision of consistent and quality service in both languages at all bilingual postal outlets, including Halifax, Moncton, Saint John, Toronto and Edmonton, where problems with counter service persist.

A survey conducted by the Corporation last August revealed that 80% of bilingual outlets were displaying counter cards indicating that service was available in both languages. Some 5,000 telephone stickers were distributed to head office and regional staff reminding them to answer the telephone in both languages, and the language guide for telephone and visitor reception mentioned in last year's Report has now been published in eight of the 10 corporate telephone directories. In spite of these efforts, even in those post offices where a strong bilingual capability exists, there is more often than not no active verbal offer of service to clients. Moreover, postal employees in cities such as Windsor and Edmonton do not always know which employees in their own post office are bilingual, or which other offices offer bilingual services. The Corporation must take steps to increase the effectiveness of its active-offer program and regularly monitor the situation, particularly in post offices where a single-file system for counter service is used.

The question of bilingual service is being dealt with by Canada Post in the context of a major study of its large telephone network. There is now a special number for telephone inquiries in French in Vancouver, as well as in Winnipeg and Toronto, but the trial Zenith line that was to have been in place by last April to serve French-speaking New Brunswickers has not been installed. The latter, along with minority language clients in many other parts of Canada, are obliged to tolerate often sporadic or non-existent telephone service in their preferred language. This is particularly the case with the Corporation's Customer Service units which have frequent contact with clients: only 13 of the 25 units in areas of significant demand are adequately bilingual.

The day-to-day language of work of employees is almost exclusively that of the majority, except in certain offices at headquarters and in the Montreal and Rideau Divisions, although the Corporation does generally provide personnel and central services, as well as training and development courses, in both languages. Little has been done to actively promote the use of French by employees in the National Capital Region or in other bilingual regions outside Quebec, and a language of work survey conducted in 1986 among employees in bilingual positions at head office revealed problems that the Corporation should address without delay. For example, Francophone employees draft material in English an alarming 50-70% of the time and, although one-third of Francophone respondents indicated they would prefer appraisals in their own language, this was the case for only 15% of written and 29% of oral appraisals. An obvious first step toward improving

this situation would be to include an indication of language preference on the appraisal form and to ensure that special arrangements are made for supervisors who do not meet the language requirements of their positions (21%).

Limited external recruitment in 1986 prevented the Corporation from implementing its five-year recruitment strategy; as a result, little headway was made in the correction of participation imbalances. Francophones are well represented overall (27.4% of 63,480 employees), and at all but the superior level, where they number only 38 of 229 (16.6%). August figures indicate that Francophones, however, account for less than 0.7% of the 35,644 employees in southern Ontario and the West, while Anglophones represent only 2.5% of Quebec staff. This situation has been underlined in our past six Annual Reports. The participation of Anglophones and Francophones by employment category is within acceptable ranges except in the Administrative Services and Technical categories, where Anglophones represent only 64% and 57% of staff respectively. The Corporation must include specific objectives in its official languages plan to correct these weaknesses.

A comprehensive audit of the language program was undertaken by the Corporation in the summer of 1986, the emphasis being on management information and accountability. Moreover, internal compliance audits in the regions now take language matters into consideration. It is time, however, for Canada Post to seriously address a chronic problem: the small proportion of bilingual positions and their inappropriate language requirements. Outside head office, which has little contact with the general public, only 3,097 (5%) of 61,139 positions are designated bilingual. This proportion drops below 1% in areas such as southern Ontario, Alberta and British Columbia. Although over 90% of the incumbents of the positions are linguistically qualified, the resulting overall bilingual capacity is still clearly insufficient. This limited capacity is compounded by the fact that half of all bilingual positions require only an elementary level of language proficiency and 49% require the intermediate level. Bilingual counter clerks fall into the former group, and Canada Post disregarded the findings of our 1983 linguistic audit and 1985 follow-up study to the effect that the basic proficiency level does not permit employees to deal effectively with clients in both languages.

In 1986 we received 128 complaints against the Corporation, an increase of 56% over last year's figure. Seventy-nine concerned counter services, telephone reception or signage — Canada Post's chronic weaknesses. Despite the flexibility provided by our new complaints handling process, the Corporation continued to respond slowly. In one case, involving a large unilingual sign outside a drug store in St. Boniface, the Corporation promised on two separate occasions to have the sign replaced by a bilingual one. Four years and numerous interventions later, the offending sign is still in place.

Canadian Human Rights Commission

The Canadian Human Rights Commission continued to make gains in its official languages program in 1986, thanks largely to the correction of some language of work problems identified in our last Report. Nevertheless, further work is still required in this area and some imbalances in Anglophone-Francophone participation need attention.

About two-thirds of the Commission's 169 positions, which are concentrated in the National Capital Region, call for the use of both English and French; with very few exceptions, all are filled by bilingual employees. The Commission has an adequate bilingual capability in its seven regional offices, where over one-third of the positions are occupied by bilingual employees.

The Commission continues to meet regularly with minority language groups to explain its role and advertise the availability of its services in both English and French.

On the credit side of its language of work ledger, the Commission has issued directives to managers concerning work instruments, communications with the Montreal office and the unacceptability of issuing unilingual English discussion papers bearing the infamous phrase "French to follow". However, a problem we highlighted in our 1985 Report about employees not being able to indicate their preferred language on their performance evaluation forms has yet to be resolved. The Commission has now promised action in 1987 to correct this major omission.

In 1986 there was a slight re-adjustment in the proportions of Anglophone and Francophone employees at the Commission, now down to 63.9% and up to 36.1% respectively. Some imbalances are still to be found in individual employment categories and at various levels of seniority. For example, Francophones could be much better represented in the Management category (now 14.3%) and Anglophones in Administrative Support (45.6%). The Commission should also give immediate attention to representation in its regional offices: there is only one Francophone among 24 employees located west of Ontario and not a single Anglophone among the nine employees at the Montreal office. The Commission has no plans to address these problems until 1987-88.

Management of the official languages program is effective; specific objectives are integrated with management's operational plans and status reports are submitted to the official languages co-ordination committee of senior managers on a quarterly basis.

We received no complaints about the Commission in 1986.

Canadian National

Canadian National's official languages program remained essentially unchanged in 1986. The Company merely continued to pursue established objectives and postponed all urgently required major changes and additions.

The Company has still not seriously focused on persistent language weaknesses: no negotiations took place with the union to improve bilingual service on Via Rail trains, and the restrictive wording of its language of work policy has not been amended. However, CN did finally collect data on the first official language of its employees.

Although industrial clients and hotel customers are able to correspond with CN in either English or French at all times, they can deal easily with CN staff in the language of their choice only in bilingual regions. Very often, as is the case at the Hotel Newfoundland, minority language clients often have to repeat their requests in the language of the employee.

In general, except in Quebec and on the Ottawa-Montreal line, CN staff responsible for ticket-collecting and announcements aboard Via Rail trains usually communicate only in English with the travelling public. This is a flagrant violation of the Official Languages Act and Section 20(1) of the Canadian Charter of Rights and Freedoms. The situation is made all the more unacceptable by the fact that CN has in the past not even enforced, in Toronto, the language clauses of the collective agreement concerning the assignment of bilingual personnel, even though those clauses are less demanding than the Act. The agreement provides: "Employees who establish seniority as brakemen on or after April 1, 1968, will have entitlement to positions in the train services designated hereunder [in particular Ottawa-Toronto and Montreal-Toronto] only if they have sufficient bilingual capacity. . . to enable them to handle the basic requirements of Company patrons."

CN maintained its level of excellence for all matters personally affecting employees: documents, work instruments (including computer systems), internal training courses and personnel services are generally available in both languages. CN expects to add a box to its performance appraisal form in which employees may indicate their preferred official language. However, Canadian National still does not recognize the right of employees to use French in the work place outside Quebec — even in New Brunswick and the National Capital Region — for meetings, reports, memoranda, etc. This is contrary to the spirit and letter of the Constitution and Official Languages Act with respect to Canada's bilingual regions.

Participation rates, both overall and at various levels, remained approximately the same as last year in the regions and sectors studied. Francophone representation was 32.1% at head office in Montreal, 79.8% in the St. Lawrence region and 33.8% in the Atlantic region. Francophone representation in CN's top 300 positions is 20.7%, but is still low in senior management at head office (19.7%) and in senior management (11.8%) and middle management (18.2%) in the Atlantic region. Anglophone participation rose slightly in Quebec to 35.2%.

Twenty-two complaints were lodged directly against CN in 1986 (compared to 24 in 1985); nine concerned signage, seven the lack of advertising in the minority press and six language of service. Thirteen others related to CN personnel aboard

Via Rail trains. Although CN quickly settled certain complaints (including one concerning Expo 86), on the whole its action was unjustifiably slow. Furthermore, complaints relating to train personnel do not always receive the attention they require.

Canadian Radio-Television and Telecommunications Commission

In 1986 the Canadian Radio-Television and Telecommunications Commission made little headway in official languages other than to improve the delivery of bilingual services. Despite the presence of a large number of Francophones within the Commission, French does not enjoy equal status as a language of work. Imbalances in the participation of both linguistic communities are the same as last year.

We must emphasize the support which the CRTC gives to language minorities by encouraging new broadcasters and distributors to provide minorities with programming in their own languages. The CRTC this year also recognized the importance, for French-language minorities outside of Quebec, of French-language educational programming.

The CRTC is capable of serving all Canadians in their preferred official language, although its Anglophone and Francophone clienteles would be better served if telephone reception at headquarters and in the regions were provided more consistently in both languages. The CRTC is also striving to implement its policy of publishing notices in both languages across the country and to reach minorities in their own languages through their newspapers. Despite the control system introduced this year, we noted some departures from this rule.

Administrative support staff and Operations Branch employees in Quebec are able to work in the language of their choice. Elsewhere, despite the large proportion of Francophones, French is under-used. Nearly half of 128 supervisors are incumbents of positions that require knowledge of English only. In these circumstances it is not surprising that most meetings take place in English and that draft work documents are usually prepared, distributed and discussed in that language. A re-evaluation of the language requirements of all supervisory positions is necessary.

It is encouraging to note that some Anglophone employees in the Telecommunications Sector, who work mainly in English, have taken the initiative of registering for private courses to maintain and improve their knowledge of French. Central and personnel services are generally available in both languages.

Overall, Francophones, who account for 197 of 387 employees (51%) are over-represented. However, they are slightly under-represented in the Management category, where they occupy only seven of 29 positions (24%), and in the Scientific and Professional category, where they hold seven of 36 positions (19%). Anglophones occupy only 30% of positions in the Administrative Support category (34 of 115), 51% in the Administrative and Foreign Service category (100 of 198) and 56% of technician positions (5 of 9).

number of these positions has been designated bilingual, and unilingual incumbents are taking language training. We will continue to monitor this matter closely.

The use of French is now more widespread in senior management meetings at headquarters. However, in a survey of headquarters and Ottawa and Quebec regional office staff, conducted as part of the audit, more than one-third of Francophone respondents indicated that the meetings they attended were held in English only. Most central and personnel services are provided without difficulty in both languages, but there are still weaknesses in certain areas, particularly labour relations, data processing and telecommunications. Training courses are gradually becoming available in each language, and the Service offered roughly one-half of its courses in both languages in 1986, something it had previously done on only rare occasions. Basic training for recruits is still in English only, but the Service has committed itself to providing it in both languages starting in fall 1987.

The Service does not yet have complete data on the participation of both language groups. According to data collected during our survey, 64% of employees at headquarters and in the Quebec and Ottawa regional offices are Anglophone and 36% Francophone. At headquarters, one-quarter of staff is Francophone. Anglophones are well represented in Quebec, accounting for roughly 15% of staff, and the same is true of Francophones at the Ottawa regional office (30%). Nearly 38% of the last group of recruits were Francophone, compared to scarcely 6% in the two preceding groups. The Service has also begun to promote itself more effectively to the Francophone public in an attempt to increase the proportion of Francophones in its candidate inventories.

Official languages program management has greatly improved over the past year. An official languages co-ordinator began work in the spring. Senior managers were required to prepare action plans for their sectors, and their performance in this respect will be taken into account in their annual appraisals. Even though the Service has a long way to go, it made major progress in 1986, largely because management now gives language matters proper priority.

In addition to the many English telexes sent to Quebec, other complaints focused on the language requirements of positions at headquarters and unilingual training courses. One delicate situation remains unresolved in which Francophone candidates have alleged that the psychologist responsible for administering psychological tests and evaluating candidates was not proficient enough in French to assess their answers correctly.

Communications

The Department of Communications is slowly recovering from an extensive reorganization which affected all areas of activity to such a degree that the Department this year found it difficult to maintain its principal gains in language of service. It even suffered a setback in the equitable participation of both language groups, particularly in the top ranks where Francophones are considerably under-represented. This last finding raises concern about the future of French as a

Official languages management does not appear to be a priority for the CRTC, which this year allocated few resources for that purpose. Managers are not required to set objectives and integrate them in their operational plans, and no control mechanisms have yet been introduced. The CRTC should immediately attach much more importance to this matter and make the use of French in the work place a priority.

We received five complaints against the CRTC this year, one more than in 1985. Four concerned communications with the public: publication of a notice in French only in a bilingual publication; an English-language press release sent to a French-language weekly; lack of advertising in a Francophone minority publication; and the fourth, the poor quality of the French in a notice. The last pointed out the differences between the English and French versions of an employee performance appraisal form. All have been settled.

Canadian Security Intelligence Service*

Although the lamentable linguistic situation reported last year at the Canadian Security Intelligence Service continued through the first part of this year, our audit concluded that the Service began to improve considerably in the closing months of 1986. Greatest progress was made in program management and in communications between headquarters and the Quebec region.

At year's end the Service was completing a careful review of the language requirements of all its positions and, as a result, will soon be in a better position to determine its capacity to provide services to the public in both languages. Our audit nevertheless revealed obvious weaknesses in the public service security investigation sector. Outside Quebec, and particularly in Ottawa, such investigations are most often conducted in English only, regardless of the language of persons involved. Since its clientele may find such matters intimidating, the Service should correct this weakness as soon as possible. The Service has decided that, starting in 1987, all recruits must have intermediate second language skills. That is a very wise decision. Approximately 40% of recruits were bilingual in 1986, compared to 10% in 1985.

As for language of work, headquarters very often communicated with the Quebec region in English only for much of the year. Complainants brought to our attention some 1,700 telexes sent to the Quebec region in English only in the first 10 months of 1986. Managers defended this practice on the grounds that messages were urgent. However, many of the telexes were very short and could easily have been prepared in both languages. Very firm directives and stricter controls were subsequently introduced, and the number of such incidents declined considerably. This type of control will have to be exercised on a continuing basis, since it appeared from our interviews of Francophone employees in the Quebec region that this matter was a source of considerable irritation. Another problem raised on a number of occasions was the low bilingual capacity of a large number of managers at headquarters. Tighter control is now exercised in this regard; a larger

language of work in the Department, since Anglophone and Francophone participation rates in senior ranks influence the degree to which both languages are used in the work place. The Department should therefore breathe new life into its official languages program by giving it the same high priority it enjoyed before the reorganization.

The Department is aware of the responsibilities bestowed by the cultural aspect of its mandate and ensures that its clientele receives good services in both official languages (correspondence, publications, signage and telephone service). Accordingly, it has a high percentage of bilingual positions (50.5%), which are fairly well distributed in various regions. However, a high proportion (14%) of bilingual positions are occupied by employees who do not meet the language requirements, a situation that obliges the Department to make special arrangements to provide adequate services. This year, the Department itself found that telephone reception service was not always provided in both languages at headquarters and in regional offices, a fact that can only be considered surprising in a department of communications. Through its internal publications, the Department therefore reminded employees of their obligations in this area.

The Department continued to promote the equitable use of both official languages in the work place by regularly informing all employees and supervisors of their language of work rights and obligations. It also conducted an internal survey on the use of both languages at work. In addition, the Compensation and Benefits unit asked employees to state the official language in which they wish to be served. However, these efforts do not appear to have had the desired effect of giving French equal status as a language of work, particularly in the scientific sector. For that reason, the Department has begun negotiations with the private sector to establish a program to enable Francophone scientists to work in the Canadian Workplace Automation Research Centre in Laval. This program would also make possible an exchange of scientists between the Shirleys Bay and Laval centres. Lastly, although work documents are generally available in both official languages, the Department has discovered a certain number of unilingual documents in circulation and has taken the necessary steps to correct the situation.

The equitable participation situation has deteriorated somewhat since last year. The Department has 2,200 employees, of whom 1,497 (68%) are Anglophone and 703 (32%) Francophone. The latter are under-represented in the Scientific and Professional, Technical and Operational categories, where their participation rates range between 20.5% and 21.5%, and are over-represented in the Administrative Support and Administrative and Foreign Service categories (over 40%). Francophones are clearly over-represented at the lower levels (37.1%) and under-represented in senior ranks (19.3%). The latter is disconcerting because it could become a serious barrier to a more equitable use of French in the work place. Furthermore, given the Department's impact on cultural matters, it could eventually be harmful to the interests of the Francophone community. To correct the situation, the Department is committed to making special efforts to improve

Francophone participation at the assistant deputy minister and director general levels. Francophone participation has declined in Manitoba (2 employees of 72, compared to 7 of 74 last year), and Anglophone participation is very low in Quebec (3.4%) and New Brunswick (39.7%).

Last year, the Department began to reorganize its official languages program to improve managers' participation in the program implementation process. Unfortunately, its efforts have not yet had the desired effect. Managers still appear to have difficulty formulating concrete objectives and are obliged to appeal for help to official languages officers in the Department. Furthermore, the objectives are not integrated as such in operational plans. As a result, we have reason to doubt the effectiveness of this exercise.

We received 11 complaints against the Department in 1986, five of them concerning language of work. Of those five, two focused on the under-representation of Francophones at the executive level, one on a unilingual English work document, another on the language requirements of a position and the last on the status of French as a language used for drafting texts at the Government Telecommunications Agency. Of the six complaints about language of service, three concerned unilingual English wording in the government pages of the Prince Edward Island, Nova Scotia and National Capital Region federal government telephone directories. The three others referred to the lack of English-language telephone reception service at the Government Telecommunications Agency.

Comptroller General*

The official languages situation in the Office of the Comptroller General, a major management control agency, has changed little since last year. Our 1986 audit revealed that the Office still has a good bilingual capacity but does not provide its services actively in both languages to its client organizations. French is scarcely used in the work place because Francophone representation is very low in the Management category, whose members constitute nearly one-half of the Office's staff. Official languages planning is integrated with the human resources plan, but this arrangement has resulted in little concrete action.

As mentioned above, the Office has the necessary capacity to serve its clientele in both languages. Nearly 80% of its 139 positions are bilingual, and almost all incumbents (95%) meet the language requirements of those positions. Unfortunately, however, services are not always actively provided. Most of the teams that report to the Office, which are composed of public servants of both language groups from other departments, operate in English only. Although simultaneous interpretation services are provided at professional workshops and seminars sponsored by the Office, the overwhelming majority of presentations are in English. Despite our recommendations, the Office requires superior second-language skills for only seven of its 109 bilingual positions, far fewer than at the other central agencies. However, congratulations are in order for the Program Evaluation Branch, which offers an increasing number of program evaluation courses in French.

Although the Office has ambitious objectives for the use of French within its organization, the situation in fact remains lamentable. In an employee survey conducted by our Office, 97% of Francophone respondents indicated they performed their written work in English most of the time, and fewer than 5% of respondents mentioned that both languages are used equally at meetings. A few bright spots in this otherwise dull picture include a team consisting mainly of bilingual Anglophones which works in French, and working papers and memoranda prepared in both languages. The Office must nevertheless do much more if it intends to be a driving force, as befits its role as a central agency, for the promotion of French in program evaluation, internal audit and management in general.

As a first step, the Office should significantly increase the number of Francophones in the Management category (currently 7 of 65, 10.8%). This situation has deteriorated over the years: in 1983 Francophones represented 22% of employees in that category. What is more, of the seven persons appointed to the Management level in the first 10 months of 1986, none was Francophone. Urgent action is obviously required in this area. Francophones represent one-quarter of the Office's total staff as a result of their high representation in the Administrative Support category (52%).

Even though the Office has integrated its official languages objectives with its human resources plan, few managers are well-informed of objectives and no measures are in place to control program implementation.

We received no complaints against the Office in 1986.

Consumer and Corporate Affairs*

Our recent audit of Consumer and Corporate Affairs Canada shows that the Department's linguistic situation has improved somewhat since our last full review in 1981. The Department now provides its services more actively in both languages in regions where there is significant demand and has taken small steps toward establishing equitable participation for both language groups. However, use of French as a language of work is still a stumbling block to further progress.

To compensate for a major reduction in positions, which might have reduced its bilingual capacity in the regions appreciably, the Department introduced a number of Zenith telephone lines to provide improved access to bilingual services for official language minority groups in the Atlantic Provinces, Quebec, Ontario and Manitoba. This new service has helped improve the Department's bilingual telephone reception service. In addition, the Trademarks Branch conducted a client survey on the linguistic quality of its services.

The Department recruited Francophone officers from Quebec universities to give its bankruptcy offices in Toronto and Dartmouth an adequate bilingual capacity, thus correcting a weakness noted in our 1981 audit. The Department's bilingual capacity at its Toronto and southern Ontario district offices is still inadequate,

as it is in the Atlantic region, where 28% of inspectors occupying bilingual positions do not meet the language requirements.

The use of French has improved little, despite efforts to increase awareness by the Official Languages Division, which regularly reminds employees and supervisors of their rights and duties with regard to language of work. Reasons for this situation vary from branch to branch: sometimes the problem is the nature of work performed, sometimes it is the unilingualism of certain supervisors and, at others, the deeply rooted habit of the great majority of Anglophone and Francophone employees of working in English. The Department's management committee itself works solely in English: only one of its members is Francophone and some Anglophone members are unilingual.

Despite increased overall participation (37%), Francophones are somewhat under-represented in the Management category, where they occupy only 16 of 74 positions (21.6%), and in the Scientific and Technical category (52 of 236 positions, 22%, 2 points more than in 1985 and 8 more than in 1981). The Department is approaching its 25% objective for the latter category and may soon attain it as a result of giving temporary employment to 10 Francophone engineering students who would be eligible to apply for the positions of a number of patent officers who will soon be retiring. Anglophones are under-represented in the Administrative Support category, where they occupy only one-half of 827 positions. In Quebec, their participation rose from 4.7% in 1985 to 5.7% this year (15 of 261). The Department's efforts to recruit Anglophone technicians from English-language colleges in Quebec have to date yielded no results.

Managers are required to set language objectives, but those objectives are not automatically integrated with their operational plans and managers are not specifically held accountable for them in their annual performance evaluations. The Official Languages Division reviews all objectives before they are approved, provides managers with personalized performance indices each quarter and exercises some controls. The Department's internal audit team has not yet integrated language matters with its other activities.

We received four complaints against the Department this year, compared to 11 in 1985. The first concerned an English reply to a Francophone correspondent in New Brunswick, the second and third the lack of telephone service in French in Ontario and in English in Montreal, and the last, distribution of the English version of a press release to a French-language newspaper in New Brunswick. These oversights were, as usual, quickly rectified.

Correctional Service

The Correctional Service underwent some major organizational changes in 1986, the most important being a decentralization of responsibilities to the regions and particular institutions, and the privatization of a number of services to inmates. However, even if senior management took the view that these changes would not affect the official languages program, no significant progress was made in

offering services to inmates in both languages or in improving the status of French in the work place. The Service should review its official languages management and control system to ensure that its objectives continue to be uniformly implemented under the decentralized system.

Compared with last year, the Correctional Service is slightly better equipped to provide bilingual services to inmates. Bilingual employees now represent 16.7% of staff (1,745 out of 10,439) compared to 15.1% in 1985. The greatest increase occurred in the Atlantic and Quebec regions, which now have a complement of 23% and 27% bilingual staff respectively.

There has also been some progress in the Ontario and Pacific regions, but here the bilingual capability is still scarcely the minimum required to provide essential services in French in all institutions on a permanent basis. The 90 bilingual employees (of a total of 1,500) in the Pacific region are still too few to serve the some 150 Francophone inmates in eight penitentiaries in this region. The slightest decline in bilingual staff often compromises the availability of service in French; this was the case with Mission in British Columbia, where the number of bilingual employees dropped from 12 in 1985 to six in 1986. In the Prairies region the proportion of bilingual employees is 5%, as in 1985. Health services are the most deficient in this respect in most of the penitentiaries here: while some nurses are bilingual, doctors and psychologists are often unilingual English.

In most penitentiaries, personal written communications with inmates are increasingly in their own language, but general communications are very often only in the majority language of the region. Another persistent problem in all penitentiaries is that bilingual services are very rarely offered spontaneously to inmates in the minority language. It is very often taken for granted that inmates speak the language of the majority, and they must insist if they wish to receive service in their language. Unfortunately, with the exception of the Prairies region, which has reminded all its employees of their language obligations, very little has been done to rectify this long-standing problem. Senior management should immediately issue very clear directions to the regions on these matters. In addition, we shall continue to closely monitor services now offered by private companies and the provinces, such as cafeteria, health care, inmate training and parole services. The Service assured us at year's end that all agreements involving services will henceforth contain clauses requiring that they be provided in both languages.

French still does not have appropriate status as a language of work. We note, however, the appointment of the first bilingual deputy commissioner for the Atlantic region. This region should actively pursue the efforts made thus far to encourage a greater use of French at the Dorchester penitentiary and should do the same for other penitentiaries in New Brunswick. As a result of the major reorganization of headquarters, little attention has been given to the question of language of work, and French is still used far too infrequently there, particularly in senior management meetings and for supervisory activities. Thirty or so of

the 175 supervisory positions still require a knowledge of English only, and 20 or so others are occupied by unilingual staff.

The overall participation of both groups is still quite well balanced, Anglophones representing two-thirds of the some 10,500 employees and Francophones one-third. The same is true for various employment categories, where Francophone representation varies from one-quarter in the Management category to one-third in Administrative Support. With the exception of the Atlantic region, which has made concrete efforts to increase Francophone participation by hiring 30 Francophones among its 70 new employees, regional imbalances have remained virtually unchanged. Despite a slight increase in Anglophone recruitment in Quebec, Anglophones still represent less than 1% of the approximately 3,000 employees in this region. Much more must be done to improve this situation. Similarly, in Ontario, efforts must be made to rectify the situation in which Francophones account for a little less than 2% of the 2,240 employees. Lastly, Francophones represent only 15% of headquarters management staff.

In light of the organizational changes noted above, the Correctional Service should review its official languages management system. As a first step, each establishment will, over the next few months, have to develop new standards for bilingual services, and precise guidelines will have to be introduced so that the highly autonomous regions and institutions are made clearly accountable for concrete implementation of the language policy and standards. Another major weakness is the serious lack of adequate procedures for monitoring implementation of the program.

In 1986 we received 25 complaints against the Service compared to 14 last year. Twenty of them dealt with various aspects of service to inmates and visitors, in particular unilingual health services and written communications. The other five concerned language of work at head office: unilingual memoranda, the need to attach an English summary to French correspondence and a Francophone's performance appraisal prepared in English.

Employment and Immigration

On the whole, the Canada Employment and Immigration Commission this year remained one of the leaders of language reform at the federal level. However, owing to the negligence of certain local managers to implementing the Commission's otherwise excellent official languages policy, it failed on a number of occasions to provide service to the public in the regions. The Commission took steps to implement the recommendations of our 1985 audit on language of work at headquarters. Except for Anglophones in Quebec, who are still clearly under-represented, the participation of both language groups is generally well balanced. Management of the languages program is excellent.

The percentage of bilingual positions rose from 23% in 1985 to 24% in 1986 (5,902 of 24,565), and 88.4% of incumbents meet the language requirements compared to 87% last year. All regions have a good bilingual capacity except

Prince Edward Island and southern and western Ontario, where only nine of 201 and 233 of 5,966 positions respectively are bilingual. This year, we received a large number of complaints from Ontario, the resolution of which has been slow in several cases. We are closely monitoring the manner in which this region ensures that employment training programs continue to be provided in both languages when they are run by business and associations. The Commission must be firm on language requirements in this regard. It should also pay careful attention to the availability of its specialized services in both languages, particularly in the western provinces. Every year we receive complaints from Francophone associations criticizing the Commission for communicating with them in English when they present job-creation projects. In addition, French-language services should be improved in Halifax and Sydney and, unfortunately, have deteriorated in St. John's.

The Commission has included questions on language of service in the major survey it is now conducting on client satisfaction with CEIC services. It continued to maintain close contacts with official language minorities in 1986, holding no less than 60 meetings with minority groups in the first nine months of the year. It also had the excellent idea of promoting its initiative of organizing French-language services in a single centre in Toronto with a video on the subject produced in co-operation with local Francophone associations and the Treasury Board Secretariat.

The Commission attacked the problem of language of work at headquarters. In response to our audit recommendations, senior management now requires top managers to set specific language objectives in their operational plans. It is also committed to increasing the percentage of bilingual positions requiring superior language skills (3% in 1986), and has developed a language training program adapted to members of the Management group. Central and personnel services, which were linguistically weak, have been brought back into line. The Ontario region, the eastern and northern areas of which have a significant number of Francophone employees, is committed to reasserting the right of Francophone employees to work in their own language and to providing them with the means to do so.

The overall participation of both groups remained at roughly the same levels as last year, 66% Anglophone and 34% Francophone. The two groups are fairly well represented in each employment category, and Francophones represent 30.6% of senior managers. However, the Commission must try to achieve more equitable participation in the Administrative Support category, where Francophones, who account for 36% of employees in that group, are over-represented. Francophones are still well represented in provinces with Anglophone majorities. The proportion of Anglophones in Quebec, however, is still at an unacceptable 2.4% (143 in 6,083) and has been so for nearly five years. As a result of staff cutbacks, the Commission is currently doing little external recruitment. Nevertheless it must immediately take advantage of every opportunity — recruitment for term positions,

summer positions, regular recruitment — to increase Anglophone participation with due regard for the merit principle.

The Commission continued to develop its excellent official languages management system. Official languages objectives, which used to be in an addendum to management contracts between the Deputy Minister and senior managers, are now part of the contracts themselves. Contract preparation guidelines set by the Chairman also include language matters. The process is now in place both at headquarters and in the regions, and managers are required to report on this progress as part of their performance appraisals. In addition, more attention is now given to official languages in operational audits.

Some 137 complaints were received this year concerning the Commission. Most related to service to the public at employment centres, job-creation offices and student employment centres. Some problems are national in scope: forms either poorly translated or available in only one language; failure to respect the specified language preference of clients; and an inconsistent application of policy governing access to language training by the unemployed.

Most of the complaints were promptly resolved by our respective regional representatives. In Ontario, however, we are still awaiting promised action on resolving a dozen or so outstanding cases.

Energy, Mines and Resources

The Department of Energy, Mines and Resources made timid advances this year. Fortunately, the gains of previous years were not compromised by the major budget cuts that have struck the energy sector particularly hard. The Department nevertheless has a long way to go and a serious effort is required, mainly with regard to language of work and the balanced representation of both language groups.

The Minister has already begun discussions that will serve as an instrument of change within his Department. At his instigation, Energy, Mines and Resources has established an advisory committee with the mandate to ensure that Francophones participate equitably in the Department's ranks, particularly in the Management category. The Joint Committee of the Senate and House of Commons called the Department of Energy, Mines and Resources to appear at its first fall session to give an account of its management of the official languages program, and departmental representatives will be required to appear again in six months.

The Department is still struggling to meet its linguistic obligations to the public. A public opinion survey it conducted last year revealed that the Department continues to experience difficulties providing service actively in both languages. Overall, 20% of the Department's clientele expressed dissatisfaction in this regard. Furthermore, in 1984-85 only 207 (29%) of 711 scientific and technical publications were bilingual.

Although the number of bilingual positions appears respectable (2,010 of 4,934, or 40.7%), the Department's proportion of qualified incumbents (80.2%) is less so and, in our opinion, is increasing much too slowly. The Department should be more vigilant in this regard.

Unless the Department takes determined steps, French will continue to be underused as a language of work except in Quebec. For the Department as a whole, the proportion of unilingual incumbents of bilingual supervisory positions is 26%. This situation certainly does not make it easy to promote the use of French in the work place, especially in light of the traditional dominance of English in the scientific community. We hasten to point out, however, that senior management has no difficulty communicating in French with the present Francophone minister.

Francophones represent 35% of the 1,209 employees in the Administrative Support category. They have more balanced representation in the Department as a whole, accounting for 24.4% of its 4,934 employees. There is, however, a marked underrepresentation of Francophones at the top of the organization, where they constitute only 10.9% of employees in the Management category. Consequently, major disparities must be corrected between employment categories and levels of seniority. Francophone representation is low in the Scientific and Professional category (15.4%) and even lower at the top: 11.5% at the executive level and 10.1% in senior management.

Since official languages plans have only recently been integrated with operational planning, it is too early to determine the results of this approach. However, the Department must certainly maintain and even strengthen language controls such as audits if it wishes to be in a position to evaluate the performance of its managers.

We received eight complaints against the Department this year, compared to 14 last year. Of that number, six concerned service to the public, in particular the non-availability of publications in both languages and unilingual personnel at an exhibition, and two others related to language of work. The Department was co-operative and diligent in handling these complaints.

Environment

In 1986 the linguistic performance of the Department of the Environment remained unchanged. The Department is among those that provide the public with good bilingual service, but it is still experiencing major weaknesses in terms of Francophone participation and French as a language of work.

Generally speaking, the efforts of the Parks Service to serve members of the travelling public in the language of their choice have been successful. However, some parks, particularly Banff and Elk Island, have encountered difficulties welcoming visitors in both official languages at their main entrances, and there is an urgent need for parks to settle various signage anomalies once and for all. It is difficult to understand why, more than a year after its drafting, the new policy governing the recognition of the English and French forms of geographic names

on all directional signs should still not be implemented. Similarly, there is no excuse for the Parks Service tolerating or authorizing the installation of unilingual road signs on the pretext that they are located on provincial highways.

Now that the Atmospheric Environment Service is supplying its weather forecasts and other information in English and French in major centres, it needs to raise the language requirements of meteorological technician positions and ensure that sufficient bilingual technicians are located in offices serving areas of significant demand.

Environment Canada employs a staff of 10,027. Over 86% of the incumbents of the 2,390 bilingual positions meet their language requirements, the same percentage as last year.

No changes have taken place in language of work or equitable participation. Even in the National Capital Region, where Francophone employees represent 35% of all staff, French has an unsatisfactory status in the work place, part of the reason being that a high proportion (21%) of supervisors in bilingual positions do not have intermediate level second language skills.

Overall Francophone participation remains virtually unchanged from last year, at 20.1%. Francophones are seriously under-represented at the senior and executive levels (13.8%) and in the following categories: Management (15.8%), Scientific and Professional (19.1%), Technical (17.4%) and Operational (13.1%). Anglophone participation in Quebec, at 7.2%, is still too low.

This year 48 complaints were lodged against the Department as compared to 40 last year. Of these, 45 dealt with various aspects of service to the public — in several instances unilingual service at national park entrances, unilingual signage along provincial highways and failure to use the English and French press. A number of complaints from Francophones censured the Department for having inscribed "rivière French" instead of "rivière des Français" in the French text of a plaque commemorating the French River as part of the Canadian Heritage Rivers System. The Parks Service has promised to correct this matter in 1987. Three complaints dealt with language of work, in particular the use of English-only internal communications. Generally speaking, the Department was co-operative in settling these issues.

External Affairs*

The Department of External Affairs made some noteworthy gains during 1986 but is still encountering problems in the use of French in the work place and in management of the official languages program. One major success story is that the Department had the international standards for machine-readable passports modified to include French accents. With exceptions, service to the public is in English and French, but there are still many constraints for French as a language of work. New control methods have been introduced by the Internal Audit Division; however, management of the official languages program could be

significantly improved by making line managers more accountable for their performance.

Of the 1,165 foreign service officers who serve the public in Canada and at 118 posts around the world, 923 (79%) are bilingual. The bilingual capability among the 488 rotational secretaries and 285 clerks is less satisfactory; only half are bilingual. This problem has been mentioned in past reports, as have the linguistic weaknesses among employees permanently in Ottawa, such as operations and maintenance staff. The Department has made little progress in correcting these weaknesses.

Visitors to departmental headquarters, major posts abroad and passport offices are generally greeted and served in both languages. However, there are difficulties with consular services: 25 posts, including those in Bonn, Singapore and Tokyo, each have only one bilingual employee to provide service in French. Within Canada, six of 16 passport offices, among them those in Halifax and Calgary, have only one bilingual employee. The French version of the passport application form is too frequently unavailable in post office outlets in predominantly English-speaking areas, and vice versa.

The Department's performance in encouraging use of both languages in the work place was no more than average. The Department followed up on an initiative mentioned briefly in last year's Report, namely a review of the impact of data processing operations on language of work. A new directive was issued stipulating that employees should be able to communicate with the Department's information systems in the official language of their choice, and the Department has been working to implement this new policy in its 13 internal systems.

While computerized information systems are increasingly bilingual, other internal services are not. The continued chronic shortage of bilingual support staff both at headquarters and many posts abroad means that some Francophone officers have difficulty getting texts typed or messages taken in French. Moreover, key central and personnel services such as pay and benefits are not always supplied in French. This year several Francophones leaving on foreign assignment received oral briefings and written materials on security and other subjects in English only.

Francophone employees have some difficulty dealing with the Administration Branch or the Physical Resources Bureau in French. Barely one-quarter of the positions in the Property Acquisition and Development Division are bilingual, and just four of the 15 professional architects and engineers require a knowledge of French. The lack of bilingualism has been a long-standing problem in this sector. Internal audit reports are usually submitted in English only, including even the 1986 report on the Paris Embassy.

Many supervisors in bilingual positions do not meet the language requirements of their positions (21% of 373 among non-rotational supervisors), and thus limit the use of French as a language of work. On the other hand, the Department has encouraged employees to ask to be evaluated in their preferred language.

It also raised the language requirements for members of the important promotion and appraisal review committees to ensure that they can deal effectively with performance evaluations in either language.

French continues to be the major language of work of several units dealing with social and cultural affairs, but it is little used in the commercial, trade and political sectors. French is now used on a more equitable basis with English at senior level meetings.

Francophones make up 29% of the total staff of 4,205, Anglophones 71%, the same proportions as last year. Francophones continue to be under-represented at the senior management level (20% of 406 employees), but are relatively more numerous among Heads of Posts (27 of 103 positions). In the foreign service officer group, Francophones number 281 of 1,165 employees (24%), Anglophones 884 (76%).

The number of complaints against the Department rose from 11 in 1985 to 27 in 1986. Twenty-one related to language of service at posts abroad, passport offices and headquarters. Six others concerned language of work problems, especially the lack of central and personnel services in French.

The Department deserves great credit for solving one complex complaint. Following agreements under the auspices of the International Civil Aviation Organization, several countries including Canada adopted a new type of machine-readable passport to expedite immigration procedures at international airports. The original technical standards for the type in the new passports did not provide for French accents. The Department approached ICAO and succeeded in obtaining modifications to the standards, thereby assuming a leadership role among Francophone countries and those having French as one of their official languages. At year's end the Department was preparing technical specifications for the necessary new equipment.

Another complaint involved the level of Francophone participation in the Trade Negotiations Office, the organization responsible for representing Canada in the free trade talks with the United States. This case is discussed in more detail in the chapter on equitable participation. The Department quickly corrected problems brought to its attention, but was slow to anticipate problem situations and take preventive measures.

Federal Business Development Bank

Although the Federal Business Development Bank has endeavoured to obtain better results to date by making the most of its bilingual resources, it would enhance and stabilize its bilingual capacity if it created a means of identifying the language requirements of positions.

The Bank scored points for its bilingual signage, telephone and personal reception service, and documentation and correspondence with clients. In its efforts to attract new clients, its mail advertising is in both languages and it makes regular use

of the minority language press. However, nine of its 24 branches (the Bank has 77 branches in all) serving locations where there is a significant minority population are unable to provide bilingual services systematically to their clientele and staff.

The repercussions of unilingualism in the regions are now being felt at head office in Montreal. The Bank promotes the professional, but not linguistic, development of its managers by transferring them to head office for a number of years at a time. As a result, many head office managers are unilingual (47%), a situation that affects supervision and the preparation of performance appraisals in the language of the employee's choice. On the other hand, vacant positions are invariably advertised in both languages. This year saw a reversal in the trend of recent years toward staff cut-backs. Bank staff increased from 1,207 last year to 1,242 in 1986. The proportion of Francophones continues to grow and now stands at 28.1% compared to 27.4% in 1985. Five of 13 positions staffed by Order-in-Council appointments were filled by Francophones.

The Bank made a number of major improvements to its official languages program management. It has already administered intermediate level language knowledge tests to its employees who claim to speak both languages; 24.8% of its staff is bilingual. If the Bank were to determine the language requirements of its positions and subsequently to introduce imperative staffing, it would give itself an effective means of correcting weaknesses in the capacity of its branches where there is a significant bilingual clientele.

The use of the minority language media, as well as staffing and equitable participation matters, is effectively monitored. The Bank has recently incorporated a language audit checklist to its branch inspection process, its purpose being to help measure minority language client satisfaction. This is a particularly appropriate initiative. However, language objectives are still not fully integrated with operational objectives and the annual performance appraisals of managers do not yet take account of the language performance of their units.

We received twelve complaints against the Bank in 1986, most of them concerning advertising in the minority press. One is noteworthy: one branch announced a seminar in a minority language newspaper, a point in its favour; but, in its announcement, the French was printed in much smaller type than the English, a violation of the principle of equality for English and French. The Bank settled complaints quickly and efficiently.

Fisheries and Oceans*

In terms of language, 1986 was not one of the more successful years for the Department of Fisheries and Oceans. The Department made little progress in offering bilingual service and encountered difficulties maintaining its performance in language of work and Anglophone-Francophone participation.

West of the Great Lakes, Francophone clients still cannot expect to receive very good service in their language. In western Canada as a whole, only seven of a

total of 1,886 positions are bilingual (2 of 1,621 in British Columbia, a number we find completely inadequate given the scope of departmental operations in this province).

In eastern Canada, we found that services were generally offered in both languages in the Gulf region, the exceptions being a few offices in Nova Scotia and in Northumberland County in New Brunswick. In addition, as shown by an internal study conducted by the Department, some offices in the Scotia-Fundy region should improve their bilingual service. Another study, dealing with client satisfaction in the Magdalen Islands, revealed that most Anglophones in this region received services from the Department in English. Overall, the percentage of truly bilingual employees decreased from 15.4% to 14.6%.

Outside Quebec, where Anglophones and Francophones are able to work in their own language, the language of work in the Department is English. French is used in the National Capital Region and in New Brunswick, but is limited to oral communications, English remaining the language too often used in written communications. Although the Department has taken steps to make the use of French more equitable in the work place, to date it would appear that its efforts have been inadequate.

The Department appears to be retreating on the matter of equitable participation. Francophones, who number 926 of a total of 6,318 (14.7%, a decline of 1 percentage point from 1985), are under-represented in all employment categories and at all levels of seniority. We must therefore criticize the low Francophone participation at the senior level (an unacceptable 7.3%, 35 of 478 employees), and in the Operational and Scientific and Professional categories (4.6% and 10.9% respectively). Anglophone participation in Quebec has improved from 7.2% to 8.3%, and Francophone participation in western Canada has remained virtually unchanged at 0.4% (7 Francophones of 1,886 employees, with none in Manitoba).

Although language objectives are integrated with the departmental operational planning system and managers are accountable for attaining them, control measures currently in place deal only with the major aspects of implementation of the official languages program. A more detailed and rigorous control system is required if the situation is to be corrected.

We received eight complaints against Fisheries and Oceans in 1986, all of which related to language of service. Of these, three dealt with advertising which had not been published in the minority language press, another with the quality of French in certain explanatory texts posted inside the salmon hatchery in Capilano, British Columbia, one concerned unilingual English telephone reception and two unilingual English inscriptions. The last infraction related to a scientific document, *Pacific Fishes of Canada*, Bulletin 180. Even though the Department does not believe translation of this document to be justified, in our view this major publication, which serves as a reference work in libraries and educational institutions throughout Canada and is sold abroad, should be published in French

as well as English so that Francophones have an opportunity to consult it in their language.

Governor General*

This year the Governor General's Residence made progress in terms of language of service to the public and language of work. However, as was reported in the follow-up to our 1985 audit, weaknesses in Anglophone and Francophone participation and in the administration of the official languages program have yet to be corrected.

Most of the services at Rideau Hall are available in both languages; telephone reception is bilingual and the public can now receive guided tours in French at all times. Written communications are in the official language of the correspondent's choice. The Residence has a good bilingual capability: 65% of its 95 positions call for knowledge of both languages and over 90% of these are occupied by bilingual staff.

In the work place employees are increasingly encouraged to use the official language of their choice, particularly in meetings, most of which now take place in both languages; unfortunately, the minutes of such meetings are still often drafted in English only. In addition, there are still some anomalies with respect to staff supervision; three of the 30 supervisory positions do not call for bilingual skills, three others require only minimal knowledge of both languages and three are occupied by incumbents who do not meet the language requirements. However, work instruments and central and personnel services are available in English and French, and courses will henceforth be offered to employees in both languages.

The proportion of Anglophone staff has risen slightly over the past year: 35 of the 95 employees are Anglophone (36.8% of all staff, as compared to 35% last year). Once again we must repeat our recommendation that every reasonable effort be made to produce a more equitable participation of both language groups.

As we write, Rideau Hall has still not developed a precise set of official languages policies and directives. It is committed to doing so at latest by early 1987.

The only complaint received this year dealt with the quality of the French in a document. Appropriate measures were taken to correct the matter.

House of Commons

In 1986 the House of Commons Administration again improved its official languages program by boosting its capacity to serve Members of Parliament and the public in both languages. The Administration has also made moderate progress in providing favourable conditions for French as a language of work. However, some courses are still not offered in French. French is under-used at meetings and, despite modest improvements since 1985, overall Anglophone participation throughout the organization is still too low.

Given the symbolic importance of the House and the fact that it receives 750,000 visitors each year, the Administration must ensure that a large proportion of its

staff is bilingual. The Administration's decision that, as of January 1985, all positions calling for the use of both languages (close to three-quarters of the total) would be staffed with candidates who were already bilingual has accelerated progress: today almost 76% of employees in these positions are fully bilingual. The bilingual capacity (now 81.4%) of security guards increases every year and all tour guides are bilingual, as are the 40 university students who work as pages.

Opportunities for Francophone employees to use their language at work are gradually increasing. Most work instruments are in both languages and supervisors are regularly reminded of their responsibility to manage and evaluate their subordinates in their preferred language. Meetings in some work units are being conducted bilingually by having items discussed alternately in English and French. The Administration now must turn to other problems: some computer software and operators' manuals are available in English only; courses offered by the Security Services are not always given in French; and about 90% of discussions at both Executive and Administrative Committee meetings are in English.

The proportion of Anglophone staff increased slightly in 1986. They now account for 38% of the House's 1,616 employees compared to 37% last year. More substantial increases were made in the Administrative Support and Management categories (from 22% to 28% and 50% to 56% respectively). Expanding the area of competition for staffing has also helped increase the number and percentage of Anglophone recruits, which in both 1985 and 1986 hovered around the 50% mark. Nevertheless, while some deviation from the standard 3:1 Anglophone-Francophone participation ratio might be understandable in an organization with the national mandate of the House of Commons, the persistent overall Anglophone participation of under 40% is cause for serious concern. As recommended in our 1985 audit report, the Administration should immediately develop an appropriate action plan in this area.

Some changes have been made in the way in which the House Administration manages its official languages program. Our audit recommendation about language knowledge tests has resulted in a tightening up of related procedures, and a new system will be fully operational by the spring of 1987. The Administration is no longer producing official languages plans, relying instead on an improved personnel information system to provide all the data required for monitoring and analysis. However, the old plans were an excellent monitoring instrument for management and official languages staff and we have suggested that the House carefully study the effects of the new system on the quality of program evaluation before completely abandoning the old method. We propose to monitor the situation.

The Administration responded quickly to the four complaints (compared to eight in 1985) brought to its attention in 1986. Two of this year's complaints concerned the failure of Special Committees to use the minority press to reach the French language minority population in two regions. A third related to lack of service in French from a security guard and the fourth, which is still under investigation, involved a constable's right to work in his own official language.

Indian Affairs and Northern Development

The linguistic situation of the Department of Indian Affairs and Northern Development remained precarious this year. The Department's bilingual capacity in the regions is still as low as last year, French does not have appropriate status at headquarters and Francophone participation is still inadequate.

In 1982 the Department began a survey of the 596 Indian bands across Canada that constitute its principal clientele. Completed in 1986, the survey revealed that, in Quebec, 15 bands preferred to be served in French, 15 in English and five in both languages. Everywhere else except New Brunswick, where one band wishes to be served in both languages, bands chose to deal with the Department in English. Despite that fact, the Department should not neglect its minority-language clients and should offer them its services more actively in the official language of their choice. It did little to publicize its bilingual capacity, low as it was, in the regions, preferring simply to publish in certain telephone directories across the country the INWATS line number that provides access to bilingual services at headquarters. No other form of publicity was planned for the service, which was introduced on a trial basis two years ago, and the Department has still done nothing to evaluate it. In New Brunswick, staff reductions at the Fredericton office resulted in the departure of six of 10 Francophones, and a corresponding deterioration in that office's linguistic situation. Only one incumbent of its five bilingual positions is linguistically qualified.

With respect to language of work, the great majority of Francophone employees choose to be appraised and to take training and development courses in English. Their attitude underscores the indifference toward the use and promotion of French in the work place. In addition, the Department's internal auditors again noted the existence of unilingual English work documents at headquarters, where certain teams still have difficulty communicating in French with the Quebec region.

At 15.2%, Francophone participation remains stable, but low, throughout the Department. The Department's sole, and not very ambitious, objective in this area is to increase that figure to 17% and to raise Francophone representation to this percentage at the senior level. Francophones are under-represented in all employment categories, at every level, and in most regions. Francophone representation in management declined from 15.7% in 1985 to 10.9% (six of 55) this year. Of the Department's 771 employees in Ontario, 11 (1.4%) were Francophones, as were five of 159 (3%) employees in the Altantic region. In Quebec, Anglophones occupy 16.8% of positions, most of them in the teaching field.

The Department has prepared no official languages plan for 1986-87, instead restricting its efforts to integrating a number of general objectives with its multi-year human resources plan and requesting its managers to do likewise taking account of these general objectives. The internal audit team was not very active in official languages this year. One of the two reports it prepared in 1985-86, which highlights various weaknesses in official languages program administration

in one branch, contains no recommendations. Furthermore, the Department's official languages "team", which now consists of one employee, was unable to establish any monitoring or control mechanisms.

This year we received five complaints against the Department compared to none last year. Three dealt with job offers that were not published in the French minority press in Nova Scotia. The fourth concerned language of service in New Brunswick and the fifth a language of work problem in Quebec. All were received in the final months of 1986 and were still under investigation at year's end.

Information and Privacy Commissioners*

The Offices of the Information and Privacy Commissioners of Canada, created in July 1983, have established a joint integrated management system. Our 1986 audit reveals that the Offices should continue their official languages efforts, particularly with respect to service to the public and language of work.

The Offices' eight bilingual investigators (of a total of 17) continue to serve complainants in the official language of their choice. However, the Offices are less vigilant in their communications with access-to-information and privacy co-ordinators in federal agencies and with public servants in general, as though they did not have the same obligations toward these officials as they do toward the public. The Offices should correct this mistaken belief and make most of their investigator positions bilingual.

Although eight of the nine supervisors are bilingual and most work documents are available in both languages, Francophone investigators have difficulty using their language in meetings because a significant number of Anglophone employees are unilingual. In addition, investigation reports are almost always drafted in the language of complainants, who are mainly English-speaking. However, the fact that English is the dominant language in communications with complainants should not prevent French from having an equitable position in internal communications, particularly in the drafting of reports. Francophones would be able to use their language more easily in meetings if there were a greater number of bilingual investigators. Staff have no difficulty receiving central and personnel services in the language of their choice.

The Offices are composed of 29 Anglophones (59%) and 20 Francophones (41%). Given the small number of employees, participation of the two language groups is acceptable. However, none of the six employees in the Compliance Division is Francophone, and Anglophones are under-represented in the Corporate Management Branch (41.2%).

To correct these weaknesses, the Offices should develop an official languages policy and more precise directives and monitor their implementation closely.

The Office of the Privacy Commissioner was the subject of one complaint in 1986 and the problem was quickly resolved.

Justice

The Department of Justice made notable progress in 1986 by adopting a new official languages policy, revising its planning process and other mechanisms to ensure managerial accountability and improving evaluation procedures. It also began a thorough review of the language requirements of positions. With few exceptions, service is provided in the language of the client, the two language communities are generally well represented on staff and, while French does not yet have equal status with English as a language of work, significant improvements are being made.

With some exceptions, the Department's publications, signage, reception and professional services to its clients are in both languages. All regional offices provide bilingual reception. 736 (53%) of the Department's 1,379 positions are bilingual and 92% of incumbents meet the language requirements. The Department's review of the language requirements of positions in the context of its new policy has already resulted in upgraded profiles of some 200 bilingual positions from intermediate to superior level. A language training program is under way with 200 employees at headquarters and across the country. Nevertheless, some regional offices remain chronically short of bilingual staff. The Winnipeg office has only one bilingual employee out of 22. On the other hand, the Department responded favourably to our comments last year about the language of service offered to clients as a result of contractual agreements with private sector lawyers. All contracts now have clauses stipulating that services must be offered in the client's preferred language.

Although French is not yet used as widely as it should be as a language of work, the Department is taking action to remove certain restrictions. It should be congratulated for addressing the problem of unilingual supervision. Beginning in April 1987, all appointments (with exceptions for long-service employees) to senior professional positions in the National Capital Region will be made on an imperative bilingual basis. At the same time, the language profiles of a number of supervisors' positions, notably those of senior legal advisers to departments, are being raised from the intermediate to the superior level. Moreover, the senior management committee has sought to set an example for language of work by using both languages in its deliberations.

The Department has 464 (34%) Francophone and 915 (66%) Anglophone employees, the same proportions as last year. Professional staff is composed of 184 (27%) Francophones and 505 (73%) Anglophones. Overall participation of the two language groups is therefore fairly equitable. However, the 60 executives and senior professionals included only 10 (17%) Francophones, and minority language employees are under-represented in regional offices. For example, there are five (5%) Anglophone employees in Quebec, two (1%) Francophones in western Canada and no Francophones at all in the Atlantic provinces. The Department is aware of these weaknesses and is seeking to correct them by developing human resource inventories of the legal profession and attempting to

attract law students with the appropriate professional and language qualifications at an early stage in their careers.

The Department's new policy was circulated in abridged form to all employees in an attractive brochure entitled "Official Languages: Your Rights and Responsibilities as Employees of the Department of Justice". The policy makes clear the employees' obligation to serve members of the public in their preferred language. It also defines employee language rights in important areas such as supervision, meetings, language training and access to bilingual positions. In addition, it outlines the responsibilities of managers and describes implementation mechanisms, two of which are the Official Languages Committee of senior managers responsible for directing implementation and the Evaluation and Audit groups which do the monitoring. The Department also has an efficient Official Languages Division.

The Department has modified its system of official languages planning. Under the auspices of the Official Languages Committee, specific language objectives are set by managers and progress is monitored. We welcome these changes and believe they will lead to better performance. However, we regret that language plans are being prepared separately from overall corporate plans, in particular the human resource plans. In our view, efficiency and effectiveness would improve if language plans were integrated into corporate plans.

There were three complaints against the Department in 1986, as compared to none in 1985. One concerned a questionnaire sent in English to a respondent who preferred French; the second correspondence in English received by a Francophone; and the third telephone reception in English only. All were quickly resolved.

Marine Atlantic*

The past year at last produced a degree of linguistic progress at Marine Atlantic. To serve its clients more effectively in the language of their choice, the Corporation created new bilingual positions and now has an official languages policy to guide it. However, language of service and equitable participation problems require urgent attention.

Marine Atlantic has six ferry operations in the Atlantic region, and its clientele consists mainly of travellers and workers in transit. The public is entitled to satisfactory bilingual service, but it has not always received it. It is not unusual for Francophones to have to deal with unilingual Anglophone wicket personnel, parking attendants and stewards. As noted last year, Francophones often had to rely on luck if they wished to be served in their language. To correct this weakness, Marine Atlantic now assigns at least one bilingual steward at all times on all vessels during the summer season, and year round aboard its ferries serving the Cape Tormentine-Borden route. Francophone customers may now obtain bilingual wicket services year round at the ferry terminal in Borden, Prince Edward Island, and Cape Tormentine, New Brunswick, although those services are not provided

to customers travelling at night. The RESMAR telephone reservation service in North Sydney, Nova Scotia, already employs bilingual staff to provide adequate service. The other terminals offer bilingual services only during the high season. Surely members of the travelling public should be able to obtain ferry services in the language of their choice throughout the year.

Staffing actions for new bilingual positions at Marine Atlantic caused friction in union-management relations. We hope that the quality of services provided to the public will not suffer as a result. Marine Atlantic produced a video for employees, explaining how they should provide customer service actively in both languages. We found the initiative a good one and hope it will produce results.

A number of language of service problems remain to be settled. Bilingual services are not yet provided actively on all ferries. We received a complaint concerning delays in the announcement in French of safety procedures following an accident on the *Caribou* in 1986. On arriving at North Sydney on July 11, the *Caribou* was preparing to lower its heavy gangway when a mechanical failure caused the gangway to collapse. Immediately following the incident, passengers were asked, in English only, to leave the scene of the accident and to go to Deck Five of the ship. The announcement was repeated in French one-half hour later. Fortunately, no one was injured; but, with a little less luck, we are inclined to believe that Francophones would have been left to fend for themselves. More attention should be given to French-language service on vessels, particularly since passenger safety depends on it.

Recent data on the linguistic composition of Marine Atlantic staff show Francophone participation to be only 3% even though 12% of the region's population is Francophone. The Corporation should try to make its Francophone representation more equitable.

We are pleased to note that Marine Atlantic introduced a language policy this year. However, although managers are responsible and accountable for achieving official languages objectives, the Corporation has introduced no control mechanism for its bilingualism program as a whole. As a result, it is difficult to evaluate managers' performances. Furthermore, the Corporation depends on a part-time official languages co-ordinator with other administrative responsibilities to oversee program implementation. With its adoption of a language policy, stricter control mechanisms are clearly necessary, and in our view a full-time co-ordinator will be required to ensure they work.

We received 60 complaints against Marine Atlantic in 1986. Of that number, 30 concerned advertising not published in the official language minority press. The language policy introduced by the Corporation this year includes a clause on advertising. Marine Atlantic would do well to comply with its own policy.

We also received 20 complaints concerning various services provided on board vessels and at terminals serving the Cape Tormentine-Borden route, eight regarding

those between Saint John, New Brunswick, and Digby, Nova Scotia, one about the incident aboard the *Caribou* and one regarding an excessive delay in the provision of service in French by the RESMAR reservation service in North Sydney.

National Capital Commission*

The National Capital Commission consistently presented a bilingual image in its signs and publications and provided excellent service to the public in both official languages. However, it achieved little progress on other major objectives in 1986. French is still not sufficiently used as a language of work in spite of the fact that Francophone participation is higher than it should be in every occupational category except Management.

The Commission has taken the position that any demand for service in either official language is significant, and consistently ensures that the required bilingual capacity is in place in its offices. A questionnaire measuring public satisfaction with service provided was widely distributed in 1986.

Despite these positive measures, a problem exists in the service provided through concessions. Concessionaires' lack of ability to provide the service in both languages, as required by contract, has resulted in a number of complaints. Our 1986 audit recommended that the Commission develop a precise linguistic policy relating to the official languages obligations of lessees and concessionaires and set up control mechanisms. Resolution of this problem is long overdue.

As long ago as 1971 the Commission established its External Bilingualism Program which, through grants, was to assist municipalities, and companies and organizations in the private sector, to enhance their level of bilingualism. This year a senior official was seconded to the Commission from the Treasury Board Secretariat to develop a strategy to ensure that services provided to visitors to the National Capital fully reflect the federal government's concern for equality of status of English and French. Extensive consultations have been held with provincial and municipal governments, the private sector, community leaders and interested federal departments and agencies.

During the 1986 performance appraisal process, managers were asked to determine and respect the language preference of their employees. However, since the appraisal form does not invite employees to express their preference, and since 52 of 196 (26.5%) supervisors in bilingual positions do not meet the language requirements, the extent to which employees are appraised in their language is unclear. Too many senior officers are still unable to work in French and the tendency to use English in most work situations is reinforced by the continued existence of several unilingual work instruments and by the fact that the Executive Management Committee, which inevitably sets the tone for the whole operation, conducts its meetings and prepares its minutes almost entirely in English. Our audit report called for implementation of a new language of work plan by

March 31, 1987, placing particular emphasis on language of supervision and work instruments. The Commission has agreed to pursue this recommendation and has accorded language of work highest priority.

In response to another recommendation that it achieve more balanced participation of Anglophones and Francophones by employment categories and levels of seniority, the Commission has agreed to analyse its recruitment patterns and take appropriate action. Anglophones make up only 53.2% of the total work force (419 of 787) and, while the number of Anglophone executives is too high at six out of seven, efforts should be made to increase Anglophone participation at all other levels, with special emphasis on the Administrative Support category, where 52 of 111 (46.8%) employees are Anglophones, and the Operational category where Anglophones occupy 182 of 361 positions (50.4%).

The Commission has taken several important steps to improve the management of its language program, including a review of its language policy and clarification of managers' responsibilities to emphasize accountability.

Twelve complaints were received in 1986 compared to only five in 1985. All concerned language of service, but only two were directly attributable to Commission employees. The others concerned service by agents or concessionaires. Corrective action has been taken in all cases.

National Defence*

The dismal treatment of French at the Department of National Defence improved little in 1986. A mountain of English-only technical documents and a multitude of unilingual English incumbents of bilingual positions in the military continue to sap the Department's official languages policy. The most important development in 1986, a new program to create a bilingual officer corps, moves National Defence some way toward linguistic respectability, but there is a long march ahead.

Next year, National Defence is expected to present a new long-range official languages plan. The Department should take full advantage of this opportunity for a fresh start. It should begin by fully integrating the new official languages plan into the decision-making process. The Department lacks effective means to hold managers accountable for their linguistic performance, with the result that language reform has long suffered from a lack of sustained corrective action.

The Department is composed of 87,000 military personnel and 33,000 civilian employees. On the military side, 12,500 positions have been designated bilingual to meet language of service and supervision requirements. However, only 37% of these positions are actually filled by bilingual military personnel, compared to 85.8% for bilingual positions on the civilian side. Although most Francophone members of the Armed Forces are bilingual, French language training for Anglophones has largely been a failure: less than 5% of Anglophone service personnel are considered to be effectively bilingual. In 1986 the Department introduced a new military second language training program, which includes a

phased-in bilingualism requirement for officers and non-commissioned members in trades and classifications involving service to the public, notably the military police. In addition, second language training courses are being revised to make them more relevant to military requirements and a new onus is being placed on graduates of language training to maintain fluency.

As reported in our audit of the Royal Military College in Kingston, Ontario, and the Collège militaire royal in St. Jean, Quebec, a working knowledge of the second language should be required of all officers. Unfortunately, the level of the new requirement being phased in for military college graduates is too low to ensure that officers will be able to communicate with their subordinates in the other language. In general, we found the language situation much better at St. Jean than in Kingston, although the policy at both colleges of alternating languages every two weeks is innovative and praiseworthy in principle. However, measures should be taken to ensure services to the public and to employees are not adversely affected. The two colleges also share a number of linguistic failings (including numerous unilingual manuals and courses) which undermine their bilingual status.

As part of a 1986 audit of National Defence operations in the National Capital Region, we visited the National Defence Medical Centre which provides medical services to the Armed Forces and senior government officials. Our audit revealed a serious lack of attention to the language rights of French-speaking patients and staff. The Centre makes no effort to offer services to its patients in both official languages, nor is their language preference recorded in medical files. Without such controls, there are no assurances that treatment is provided in the appropriate language, even though some Centre personnel are in fact bilingual. The language of work at the centre is English. Staff have received explicit orders to complete medical reports in English only and the rule applies throughout the hospital's operations. The Department and the Centre should immediately take steps to establish working conditions favourable to the use of both official languages and ensure that services are provided in the language of the patient's choice.

Major obstacles still impede the use of French within the Department. As reported in 1983, it is difficult and often impossible for Francophones to undergo advanced and specialized military training in their own language. The "Francotrain" program for providing French language professional training has suffered from the beginning from unilingual English course material and too few bilingual instructors. Plans announced last year for revitalizing Francotrain address these issues and should be pursued, but the scope of the problems requires a more serious commitment to language reform.

As noted in our Office's recent special report to the Governor in Council, it is inconceivable, for example, that 17 years after adoption of the Official Languages Act, approximately 95% of all technical work instruments at National Defence are unilingual English. A ten-year translation program now underway to reduce the backlog suffered a blow last year when Treasury Board denied the

Department's request for the translation of 32,000,000 words and reduced it to under 22,000,000 for 1986-87. National Defence has asked Treasury Board to reconsider its decision. The task of translation, however, becomes endless each time new equipment arrives with English-only manuals, despite a departmental policy requiring them to be bilingual. It was revealed last year, for example, that Canadair of Montreal was delivering Challenger jets to National Defence with unilingual English technical publications. Bilingual manuals are to be available in 1987-88, but by that time, Francophones will have been trained in English and use English terms in their work. The oft-cited argument that English is the predominant language of advanced technology in specialized fields does not excuse National Defence and its suppliers from meeting its linguistic obligations to its Francophone personnel. The Department's responsibility is to overcome obstacles to language reform, not to maintain them.

Next year marks the Department's deadline for achieving its 27% overall Francophone participation goal for the military, as well as throughout the ranks and commands. The Department has for some time now met its general objective but, at 16%, Francophones are seriously under-represented among senior officers. We note, however, that, as more Francophones make their way up through the ranks, this situation has slowly improved over time. Since 1980, for example, Francophone representation among senior officers has grown from 13.8% to 16.0% and for junior officers, from 19.5% to 24.7%. A more dynamic effort is required to correct imbalances in the various military commands where Francophones represent 34.6%, 25.1% and 17.8% respectively in the Army, Air Force and Navy.

On the civilian side, Francophone participation is stagnant at 20%. National Defence makes a particularly bad showing in the Management category where only 18 of 138 senior managers (13%) are Francophone. The Department should also be concerned about Anglophone participation in Quebec, which has fallen to 9.9% from 10.3% in 1985. The only bright spot in this gloomy picture: Francophones represent 28.4% of employees in the Scientific and Professional category.

The Department was the subject of 94 communications as well as 39 investigations in 1986. More than three-quarters of all matters brought to our attention concerned language of work and in 78 cases our correspondents questioned the linguistic designation of unilingual English civilian positions at National Defence headquarters. We subsequently found that, for the most part, the designations were justified. These cases were nonetheless troubling for the picture they presented of the generally English-language working environment at headquarters. In its replies the Department often seemed preoccupied with explaining why the incumbent of a particular position must be able to work in English whereas the issue was whether the nature of the position obliged and enabled the incumbent to perform the duties in French as well. The situation led us to undertake a special study of the procedures and policies the Department uses to determine linguistic

requirements. We will report on the results next year.

Another recurring subject of complaint was the distribution of unilingual English memoranda and other written communications within the Department. National Defence has taken several measures in the past to address the problem. The number of reported new infractions every year suggests, however, a strange lack of discipline. A stronger message is required from senior management if repetition of such incidents is to be halted.

Language of service was the subject of 38 complaints received in 1986. The problems ranged from unilingual English telephone service and commissionaires to linguistic lapses in the Department's opening ceremonies for the United Way Campaign on Parliament Hill.

National Film Board*

This year the National Film Board again improved its official languages program by implementing two of the three recommendations of our 1984 audit. The Board continues to do its best to serve the public in both official languages and gives English and French equal standing as languages of work. On the Anglophone-Francophone participation front, a single weakness remains to be corrected.

On the whole, the Board is able to provide services in both languages. However, the major reorganization in 1985, which brought about a substantial reduction in staff, affected the quality of bilingual services provided in the regions. Some offices in the Atlantic provinces, for example, no longer have an adequate bilingual capacity and no steps have yet been taken to correct this situation.

That 94% of the Board's 101 supervisors meet the language requirements of their bilingual positions makes it much easier for employees to use the language of their choice. With the exception of certain manuals for technical equipment manufactured abroad, work documents are generally available in both languages. This particular weakness was the subject of a recommendation in our 1984 audit, the only one on which the Board has taken no action. On the other hand, the Personnel Branch has, as recommended, produced a new performance appraisal form, which enables employees to choose the language in which they wish to be evaluated.

The existence of separate production units for English- and French-language films as well as the location of Board headquarters in Montreal partly explains why Francophones occupy 381 of the 696 positions (55%). Only one of the two participation imbalances noted in 1984 has been corrected: the number of Scientific and Professional positions occupied by Anglophones rose from two out of eight in 1984 to five out of 10 this year. In the Administrative Support category the already imbalanced Francophone participation rose from 60% to 66%.

The Board gives official languages adequate priority thanks to the commitment of senior management, which sets the tone essential to compliance with the Act.

Objectives are integrated with management's operational plans, and the Personnel Branch oversees matters and issues directives and reminders, which are usually respected. Furthermore, the Board has begun to review the language requirements of its positions and to verify the language knowledge of incumbents with a view to meeting the needs created by its new structure.

The National Film Board was the subject of five complaints this year, three more than in 1985. The first concerned the availability of French-language films in Thunder Bay and the others the absence of service in French at NFB offices in St. John's, Sydney, Charlottetown and Regina. All were under investigation at year's end.

National Health and Welfare

The Department of National Health and Welfare made significant progress in 1986, but a few chronic problems continue to cause concern. Service to the public has improved in some respects, although bilingual capacity is still seriously deficient in certain regions. French is used as a language of work in Quebec and in a few headquarters divisions, but elsewhere English only is the norm. Francophone participation is low in all regions except in Quebec, New Brunswick and the National Capital Region.

In regions with significant demand for services in both languages, such services are available and are actively offered verbally, through signage and through advertising in the minority language news media. In Newfoundland and in the North, however, French-language capacity is non-existent, and in the five provinces west of the National Capital Region less than 4% of employees (119 of 3,025) are bilingual. At least two branches rely on self-teaching cassette programs to train unilingual receptionists to offer initial greetings and referrals in both languages, but it is apparent that, with such low levels of bilingualism in these regions, the prospect of obtaining effective service in French remains quite remote. This was the subject of comment in our 1985 Annual Report, but there has been little corrective action.

French enjoys equal status as a language of work only in Quebec and in a few pockets at headquarters. Eighty per cent of the supervisors in bilingual positions meet the language requirements, an increase of 7% since 1985, so one might expect that more employees would now be able to exercise their right to be supervised in their own language. The impact of this advance is still limited, however, by application of the Department's ungenerous policy, noted in last year's Report, whereby only incumbents of bilingual positions in designated bilingual regions or at headquarters may indicate their preferred language on the performance appraisal form. We still believe this provision could be generalized without placing too heavy a linguistic burden on the Department's managers.

Overall Francophone participation has increased by 1% to 23.2%, but the Department's already low Anglophone participation in Quebec, which stood at 28 (3.7%) in 1985, has fallen to 17 (3.1%) in 1986. Francophone participation patterns are no better. Only in New Brunswick (29%) and in the National Capital Region (30%) has linguistic balance been achieved. The remaining regions taken as a whole can muster barely 100 Francophones out of a total strength of well over 4,000. Francophone participation is also low in three of the six employment categories and at various levels of seniority. At the executive and equivalent level and at the senior level the proportion of Francophones is only 17% and 15% respectively. We therefore repeat our call for the Department to correct these imbalances.

Although preparation of the official languages plan is not yet integrated with operational planning, it is effective in making managers aware of their linguistic responsibilities. Given the deficiencies in bilingual capacity and the participation imbalances noted above, however, it is surprising that imperative bilingual staffing is so seldom used. Of 450 bilingual positions staffed in the first eight months of 1986, only 98 (21.8%) were staffed in this manner, a figure that hardly shows a serious intention to rectify the above linguistic shortcomings.

The Fitness and Amateur Sport Branch, which for years has been a source of linguistic problems for its parent department, made greater progress in 1986 than it has since it came into being. A flurry of activity has seen 98 of a total of 125 positions designated bilingual and 91 of these are now filled by qualified incumbents. Fifteen positions have had their second language requirements raised from the intermediate to the superior level, and the capacity of the Branch to serve the public in both languages is now well established. Most Fitness and Amateur Sport programs are conducted through national sport, fitness and recreational associations and it is in the ranks of these bodies that the greatest impediments to bilingual service to the public have existed in the past. In 1986, 47 of these sport associations submitted comprehensive official language plans, more than double the number prepared in any previous year, and, for the first time, four fitness associations did the same. An official languages information kit was distributed to all associations and a committee composed of representatives of the federal and Quebec governments has been charged with the task of recommending ways of enhancing the application and use of both languages in fitness and amateur sport activities at the national level.

We received 45 complaints against the Department, four more than in 1985. Of these, seven were attributed to Fitness and Amateur Sport, compared to 17 in 1985. All concerned service to the public — four regarding the 1987 Canada Winter Games in Cape Breton, and three service by associations receiving funds from the Department. Of the 38 complaints against other sectors of the Department, two concerned language of work and 36 concerned service to the public. In the latter group, 12 were about reception services, 11 correspondence, six advertising practices, and two press releases by the 1988 Olympic organizing committee.

National Museums*

The language situation at National Museums of Canada has not progressed since our last review in 1979. National Museums still finds it difficult to provide adequate service to the public in both official languages. French is still under-used as a language of work, and the participation of the two language groups is no more equitable than in 1984.

Although the organization tries to provide its services actively in both languages in most areas, major weaknesses persist. For example, security guards at various museums are still unable to provide bilingual service actively at all times. The same applies with respect to curators and technicians, who are often required to answer inquiries from the public: 31.5 % of Scientific and Professional (23 of 73) and 21% of Technical (29 of 139) employees in bilingual positions do not meet the language requirements. Publications provided free of charge are generally produced in both languages. However, the French version is sometimes awkward. Furthermore, the French versions of certain publications are sold at higher prices than the English versions. Such is true of works on Quebec and Ontario in the Prehistory series; the publications in question sell for $7.95 for the French version and $5.50 for the English.

The unsatisfactory language of work situation reported in our 1979 audit has not improved. National Museums has taken no action to promote the use of French in the work place. So long as 26.6% (71 of 267) of supervisors do not meet the language requirements of their positions, meetings will be held almost exclusively in English and many Francophone employees will continue to receive their annual performance appraisals in their second language. Training and development courses are not always available in both languages. An employee survey conducted by National Museums in the fall of 1985 as part of our joint language audit revealed that 44% of Francophone employees who had taken courses in English would have preferred to do so in French. Personnel services are normally available in both languages, but this is not the case for other internal services.

Despite an overall participation rate of 31%, Francophones are under-represented, particularly at the most senior levels and in three of the six occupational groups. Francophones occupy one position of 19 (5.3%) among senior management and only 17 of 111 positions (15.3%) at the top levels. Their participation has increased slightly in the Management category, where Francophones occupy six of 33 positions, but has declined by two percentage points in the Scientific and Professional category, where they now account for 13% of employees. Francophone representation has remained the same, though too low, in the Technical category (15%). Anglophones are under-represented in the Operational and Administrative Support categories, where they occupy only 56% and 54% of positions respectively. The Corporation has made no plans to correct these imbalances.

Official languages management is clearly not a priority at National Museums, which has taken very little action on our 1979 recommendations and has since even cut back the resources of its Official Languages Division. Official languages objectives are not integrated in operational plans and managers are not accountable for them. Furthermore, linguistic responsibilities are not defined clearly enough at various levels of seniority.

Seven complaints were lodged against National Museums in 1986. One concerned a unilingual English memorandum and the others dealt with language of service in various museums: lack of French-language folders, the poor quality of some advertising texts, and unilingual English security guards. Three complaints are still under investigation.

National Revenue (Customs and Excise)

The past year has been encouraging for official languages at National Revenue (Customs and Excise). In 1986 the Department improved the quality of service to the public in English and French, made some adjustments to its program to enable employees to use either language at work and maintained overall Anglophone-Francophone participation rates at an appropriate level. Despite these gains, the Department must still overcome shortcomings on several fronts, including too few bilingual positions in some regions and participation imbalances in certain regions and employment categories.

The Department is undergoing a major reorganization which includes laying off some 200 of its 10,152 employees. Nevertheless, it has been able to maintain its 1985 bilingual capacity: 92.7% of the 3,204 employees in bilingual positions are linguistically qualified. Initiatives to improve the quality of service included distribution of a pocket translator for the use of unilingual employees serving the public and, in response to a number of complaints about lack of service in French, presentation of 16 information sessions on serving the public for Winnipeg area employees. The Department also ran a pilot project consisting of two weeks of specialized French immersion training for small groups of employees, who then were given on-the-job training in tandem with Francophone colleagues. The results of the project are now being evaluated. Customs and Excise also carried out a number of language preference and public satisfaction surveys which yielded positive results, and hired more bilingual students (32% of a total of 625) for the summer period. The fact remains, however, that the number of bilingual positions in Saskatchewan, Manitoba and Ontario continues to be too low. In Ontario (except the National Capital Region), for example, only 6.5% of the Department's approximately 3,500 positions are bilingual, which seems hardly sufficient for active offer of service in French to the minority population of that region and to the many Francophone travellers from Quebec. The Saskatchewan and Manitoba posts have a total of only four and 32 bilingual employees respectively, representing 2.2% and 8.5% of the total complements.

There has been some progress in offering employees an opportunity to use their preferred language at work. Increasingly, bilingual supervisory positions in the National Capital Region are being staffed with candidates who are already bilingual. The Department has also decided to increase substantially the number of bilingual positions in the Management category and in central and personnel services which require a high level of knowledge of both languages. A segment on official languages has been prepared for inclusion in a supervisors' training session. To assist employees who draft texts, there is now improved access to expertise on text revision and special terminology. However, the Department still has a fairly basic flaw to correct: there is no provision on performance appraisal forms for employees to indicate their language preference. This should be rectified immediately.

The Department currently employs 10,152 people, of whom 73.6% are Anglophone and 26.4% Francophone. Despite this overall balance, there are some problems at particular levels and in individual categories. For example, Francophones represent only about 16% of the Management category and just over 21% of the Scientific and Professional category. On the other hand, Anglophones are under-represented in the Operational category at about 51%, while in Quebec they only account for 6.9% of 1,929 employees.

Senior management clearly accepts its responsibility for implementing the official languages program and is ably supported by the Official Languages Division, which has a well-developed system for monitoring the situation. To further improve its performance the Department has agreed to implement recommendations formulated in a 1986 Treasury Board audit calling for more involvement by middle management in the application of the official languages program.

We received 17 complaints against the Department in 1986. Fourteen concerned language of service, 10 alleging lack of reception or counter service in French, three dealing with signs and one with advertising; the other three had to do with language of work. The Department was generally prompt and co-operative in reacting to these complaints.

National Revenue (Taxation)

Overall, 1986 proved to be an average year for official languages at National Revenue (Taxation). The Department's capacity to respond to taxpayers' enquiries in both languages was reinforced at several of its 30 district offices across the country, especially in western Canada, but little has been done to resolve the language difficulties mentioned last year relating to the audit and collections programs. Many district managers continue to give low priority to language matters, with the result that bilingual staff simply may not be in the right place at the right time. Nor has the Department followed up on its excellent 1985 brochure on language of work with any active program to ensure that employees'

language rights are respected. Anglophones and Francophones are equitably represented on staff, and discrepancies observed in past years within certain regions and employment groups have been reduced.

The Department is to be commended for initiatives to improve its service in both languages. No fewer than 15 offices now have separate English and French telephone lines for taxpayer inquiries. The three regions previously short of bilingual staff identified additional bilingual positions during the year: 14 for Atlantic Canada, 20 for Ontario and 50 for the West. The Department has also met with most of the minority language associations in an effort to work towards better service at the local level and to resolve such difficulties as inadequate use of some minority newspapers.

If the Department has been improving its taxpayer assistance services in both languages, it continues to fall short in its audit and collections programs. Despite our long-standing recommendations on this subject, guidelines on official languages have still not been incorporated into the sections of the Taxation Operations Manual dealing with compliance programs. It is therefore not surprising to find that no fewer than 14 district offices, including Halifax, Hamilton, Edmonton and Vancouver, have no professional bilingual auditor and that in the largest office, Toronto, there are only three bilingual auditors among a total of 545. This places the Department in the situation of not being able to respect the letter and spirit of the Official Languages Act.

Only limited progress was made this year in establishing French as a language of work in the Department as a whole. Many supervisors remain incapable of carrying out their functions in their second language: 236 (31%) of the supervisors in head office and bilingual regions who are supposed to be bilingual possess only the lowest level of second language proficiency or are unilingual. The regional headquarters for Ontario in London and for Atlantic Canada in Halifax do not have sufficient bilingual staff, although seven employees in Halifax have begun language training to help correct the situation. At head office, English continues to be the language of most original documents: 90% of translation is from English to French. On the other hand, the Department's internal services, with some exceptions in the information processing area, are now available in French as well as English, and major work instruments, such as the Taxation Operations Manual, are completely bilingual.

Francophones represent 27% of the Department's staff, Anglophones 73%, the same proportions as last year. Since 12 of 39 successful candidates for executive and senior manager competitions this year were Francophone, French-speaking personnel are now just slightly under-represented among senior employees and executives (21% and 24% respectively). Anglophone participation in Quebec and Francophone participation in New Brunswick increased in 1986 from 90 (3%) to 123 (3.8%) and from 56 (25.9%) to 63 (27.6%) respectively. However,

participation problems persist in certain specialized groups at head office. Among statisticians, for instance, only two (6%) of 33 employees are Francophone.

The Official Languages Section of the Department calls for semi-annual progress reports from all regions and senior managers are now held accountable for implementation of the official languages program in their annual appraisals. Perhaps it is time for this kind of accountability to filter down to line managers, who are directly responsible for ensuring that all services dealing with the public (enquiries, assessments, audits, collections, etc.) are conducted in the proper language.

We received 30 complaints against the Department in 1986, the same number as last year. Among the issues raised were assessment notices sent to taxpayers in the wrong language, lack of telephone service in the taxpayer's preferred language and failures to supply tax forms in the required language. In one particularly serious case, the English version of the Employers' and Trustees' Guide was initially sent to 213 Francophone employers in Western Canada. The Department was able to mend the error of its ways by having head office send out the Guides in French. In another case, a businessman in Yellowknife who had always dealt with the Department in French was, until our Office intervened, scheduled to have his company books audited by a departmental officer who spoke no French.

Once brought to the Department's attention, these and other infractions were handled quickly. However, the Department is slow to identify problem situations and take preventive action.

Petro-Canada

The linguistic situation at Petro-Canada made little progress in 1986. To all intents and purposes the weaknesses we have reported in previous years persist, and we have no reason to believe that the Corporation is prepared to correct them.

Petro-Canada goes no further than the very letter of its own language of service standards. Thus, for example, bilingual signage is required only at sales points serving locations where the minority represents more than 10% of the population. By definition, this criterion excludes major inter-provincial highways such as the Trans-Canada, despite the provisions of the Official Languages Act concerning service to the travelling public.

Nor is bilingual signage at service stations a guarantee of service in both languages. As far as the Corporation is concerned its linguistic obligations are limited to purely visual bilingualism. Needless to say, we do not subscribe to this view, and in 1984 we made a number of recommendations for the improvement of various aspects of Petro-Canada's service to the public. The Corporation has so far implemented none of them.

Except in Quebec, French is under-used in offices located in bilingual regions. Work documents — manuals, forms and bulletins — are bilingual, but the Corporation's efforts to promote the use of both languages go no further than that.

This year the Corporation was again unable to provide us with valid data on the language capacity of its employees or the representation of both language groups. We are aware, however, that Petro-Canada's staff of 6,450 has grown with the arrival of 3,000 new employees since the Corporation's purchase of Gulf's interests west of Quebec. This influx has no doubt produced significant changes in Anglophone and Francophone representation. The Corporation should take the necessary steps to collect basic information on the linguistic composition of its staff.

Petro-Canada has not given its official languages program the serious attention it requires to demonstrate that the Corporation is firmly committed to language reform. Despite the recommendations of our 1984 audit, it has failed to create an administrative structure conducive to language reform. For more than a year only one person has worked full-time on the Corporation's official languages program. Given the size of the Corporation and the language problems left unresolved, that, clearly, is not enough.

We received 20 complaints against Petro-Canada this year, five more than in 1985. Most concerned signage and advertisements at Petro-Canada service stations. Others focused on person-to-person service, correspondence and failure to respect the Corporations's policy on use of the minority press (four complaints). The Corporation was generally slow in settling these matters.

Prime Minister's Office*

A recent follow-up to our 1985 audit found that the Prime Minister's Office, which is very sensitive to the importance of the official languages program, has taken pains to correct the few weak points noted in last year's Report.

Bilingual employees now make up two-thirds of all staff, as compared to 55% in 1985, and management has continued to give active encouragement to employees to develop their second language skills through language training. Another improvement is that visitors are now greeted by bilingual commissionaires at the main entrances of buildings used by the Office.

Visible progress has also been made in language of work, mainly as a result of improvements in the bilingual capability of supervisors. Over half of the 30 managers have superior second language skills and three others are taking language training. The employees of each language group are now supervised in their language in all sectors and French is increasingly used in meetings.

Overall participation of the two language groups remains unchanged from last year at 60% Anglophone and 40% Francophone. Both groups have balanced representation in the various employment categories. In 1986 the Office revised its criteria governing various professional categories to bring them into line with

those used in the federal Public Service. As a result, Francophones, who under last year's criteria were poorly represented among executives, now account for nearly one-third of the 19 employees in this group. In addition, the proportion of Anglophones in the Administrative Support category has risen from 48% to 55%.

The official languages program is more rigorously co-ordinated than in the past. For example, the language skills of officers and senior executives have been more precisely evaluated and, toward the end of 1986, efforts were under way to define the language requirements of positions in a more systematic manner.

We are thus delighted to report on the progress achieved in 1986. Nothing can drive the machine of language reform better than the example set by prestigious organizations such as the Prime Minister's Office.

We received no complaints against the Office in 1986.

Privy Council Office

The Privy Council Office improved its already well-established official languages program in 1986 and is in a good position to address its few remaining problems with Anglophone-Francophone participation and the degree of second language knowledge required for some bilingual positions.

Despite fluctuations during the year in the number of its employees, the Office managed to ensure that a high proportion (just over 83%) continued to occupy bilingual positions, and achieved yet another increase in the proportion of those who meet the language requirements (now 87.4%). However, since the Office's clientele consists mostly of senior officials and ministers, its senior level positions should require a higher degree of second language oral skills than the current intermediate standard.

Although the issue of unilingual commissionaires stationed at Privy Council Office buildings has not been entirely resolved, it is clear that action has been taken. We noted a definite improvement in the bilingual capacity at several locations.

The Privy Council Office tries to create a climate in which its employees can choose to work in either language. Of its supervisors, 86.3% are bilingual, a significant improvement over 1985 (78.7%). Measures are in place to ensure that bilingual positions are staffed with bilingual candidates and employees are evaluated in the language of their choice. Meetings, notably at senior levels, are now carried out in both languages.

Although there continue to be imbalances in the representation of both language groups, overall Anglophone participation has improved three points over 1985, to 54%. This increase can be seen across most levels and employment categories, even in the usually resistant Administrative Support area, up to 45% from last year's 42%. However, while Francophone representation has improved slightly in the Management category and now stands at 20%, it remains far too low at

the Deputy Secretary and Assistant Secretary levels (1 of 11). The Office clearly still has some distance to go to achieve equitable participation.

The Privy Council Office takes official languages program management seriously. It has integrated related objectives into operational plans, regularly monitored the situation and incorporated official languages into its normal internal audit function.

We received three complaints against the Privy Council Office in 1986, all of which were quickly resolved. Two dealt with the failure of a Royal Commission to use the minority language press and the third with unilingual telephone reception.

Public Service Commission*

The Public Service Commission continued to carry out its official languages duties in 1986 with remarkable ease. Service to the public was actively offered in both official languages, and in bilingual regions employees had the opportunity to work in the language of their choice. No improvements were made, however, to the low level of Anglophone participation in the Administrative Support category.

The Commission's offices across the country provide bilingual reception and, in bilingual regions, have a more than adequate capacity to provide client service in both languages: 83% of the occupied positions are designated bilingual and 92.5% of the incumbents (1,829 of 1,978) meet the second language requirements. All Commission publications are bilingual and correspondence is systematically in the client's preferred language. With regard to language of work, the Commission has been generally successful in giving its employees a real opportunity to choose their preferred language, although the recent linguistic audit conducted by this Office unearthed a few anomalies. We therefore recommended that the Commission inform all staff of their rights and responsibilities and reaffirm its policy on language use at meetings.

There has been no change since last year in the significant imbalance in the participation rates of the two language groups at the Commission. Anglophones represent a mere 36.7% of the staff (873 of 2,379); and, even if one discounts the Language Training Program Branch employees, who are predominantly Francophone, the proportion is still only 46%. In the Administrative Support category only 33% are Anglophone. Our audit report recommended that the Commission set specific goals and develop a plan of action to improve Anglophone participation, especially in the Administrative Support category.

Our audit also examined the linguistic performance of the Commission as a central agency and found there was room for improvement. Although relations have been maintained with minority groups in the regions, the prevailing climate of staff cutbacks and freezes demands a more innovative and intensive approach. We therefore recommended that recruitment and referral officers should be responsible for minority relations, and that task forces composed of departmental, central agency and minority group representatives be established to develop appropriate

strategies. Another persistent problem addressed by our audit is that even though all courses exist in both languages, a disproportionately small number are offered in French (22% in 1985) and some of these end up being cancelled, generally because of poor registration. The Commission has started to investigate some of the possible solutions we suggested.

The Commission has integrated the management of official languages into its operations. In view of the example it should set as a central agency, however, the resources devoted to its internal official languages program appear to be insufficient and scattered. Nevertheless, some monitoring was done and, following an inventory of services provided to the Commission by third parties, clauses concerning official languages were added to the guidelines on contract preparation.

Seven complaints were received against the Public Service Commission in 1986, compared to 12 last year. One concerned the lack of certain working documents in English in the National Capital Region, and the six others language of service: the quality of French in an advertisement published in a newspaper, the unavailability of certain courses in French, lack of service in French by a staffing officer, correspondence sent in English to a Francophone and the language precedence of initial telephone reception. The Commission was very co-operative in resolving these issues.

Public Works

In 1986 the linguistic performance of the Department of Public Works was again poor. Serious shortcomings in service to the public persist and little has been done to encourage equality of status for English and French in the work place. Anglophones and Francophones are equitably represented only at the junior level.

At offices in bilingual regions the Department's signage is adequate and bilingual service is actively offered. In other regions the number of qualified bilingual personnel is low and, while the recent appointment of three bilingual officers in Winnipeg will improve the picture there considerably, regions west of the National Capital can still claim only 34 bilingual employees out of a total of 2,331 (1.5%). There is no systematic process for monitoring client satisfaction, and the Department does not maintain contact with linguistic minorities to help determine service requirements.

Calls for tender are published in English and French in the National Capital and Quebec regions; elsewhere they are in English only. Our 1983 audit recommendation that this practice be discontinued has not been acted upon and the Official Languages Act thus continues to be violated.

French is rarely used as a language of work except in Quebec, no doubt because many senior and middle managers are unable to function effectively in that language. Of 100 occupied positions in the Management category, 70 are bilingual, but only 45 incumbents (64%) meet the requirements. Opportunities for professional training and development in French are few and far between, as most

employees choose to take such programs in the language in which they work. Certain central and personnel services are not available in both languages, even in bilingual areas, and job descriptions are seldom available in French. Most computer related work instruments, operator manuals, software, etc., are in English only.

Overall participation is quite well balanced at 72.7% Anglophone and 27.3% Francophone. However, at all but junior levels the Francophone presence is low. In each of the Management and the Scientific and Professional categories, Francophone participation amounts to only 18.6%. Anglophone participation in Quebec is extremely low at 1.7% (7 of 410 employees), and the only significant presence of Francophones elsewhere is in New Brunswick (15.9%) and in the National Capital Region (34.5%). Elsewhere the Department's French language population is barely 1%: 36 out of 3,449 employees.

Language objectives are integrated with operational plans, but this seems to have had the effect of reducing the amount of attention they receive from managers. The Department's internal auditors have recently conducted an evaluation of its program, a somewhat delayed reaction to our 1983 audit recommendation, but no report has yet been published. The capacity of the official languages group to monitor the program is limited by its lack of resources, and the co-ordinators in the regions have many other responsibilities. Incidentally, the co-ordinators in the Department's two most westerly regions both occupy positions where only English is required, a situation that must surely diminish their effectiveness in this role.

Faster resolution of complaints in 1986 was offset by a sharp rise in the number. Of 27 received, an increase of 16 over the previous year, 23 concerned service to the public. Problems included failure to advertise in the minority language press, unilingual contract specifications, unilingual cafeteria services and security guards unable to answer questions in French. One of the language of work complaints concerned an information session conducted by a senior manager in English only, and another resulted from an Anglophone labourer being assigned to a French-language work crew.

Regional Industrial Expansion

In 1986 the generally sound official languages program of the Department of Regional Industrial Expansion changed very little as the Department passed through a period in which it reassessed its mandate.

Signage and documentation are bilingual and the Department makes regular use of the minority language media. It also systematically ensures that correspondence is in the client's language. However, other than at its Montreal, Moncton and Fredericton offices, it does not yet actively offer services in both languages and has so far not checked on client satisfaction with its language practices. The

inadequate level of bilingualism of Anglophone specialists at headquarters often inhibits direct communication with Francophone clients.

The Department provides its staff with bilingual work documents and offers training in both languages. However, insufficient demand often results in the cancellation of courses offered in French. Although the appointment of two Francophone ministers has stimulated the use of French within the Department, the unilingualism of some staff members is still a problem in meetings, for supervision, for performance evaluation and for the delivery of personnel and central services.

The official languages program suffers from a lack of commitment on the part of middle managers, who are not held accountable for progress in this area. Although official languages objectives have been partly integrated with operational planning, particularly in the area of human resources, the process is not standardized and controls are lacking.

However, despite the Department's failure to set a clear course, those responsible for the official languages program have conducted a study of the Department's bilingual capability with a view to instituting a more rigorous control system for position identification. They have also undertaken a very thorough study of small computer systems and related software. Although some weaknesses remain (unilingual computer print-outs and user guides for departmental systems), the results of this study are promising, and some businesses are interested in the marketing potential of software translated into French.

Both language groups continue to be equitably represented within the Department, particularly in Ontario, the National Capital Region and the Atlantic Region. However, Francophones are still over-represented in the Administrative Support category, which accounts for 529 of the 899 Francophones in the Department (59% compared to 41% for Anglophones).

The Department was the subject of seven complaints this year compared to five in 1985, but none required formal investigation. Most dealt with printed matter and communications. The Department continued to co-operate fully with our Office and intervened directly with managers to settle complaints.

Royal Canadian Mounted Police

Even though the Royal Canadian Mounted Police took a few interesting initiatives in 1986, some of its actions may well delay achievement of linguistic equality. The RCMP devoted much energy to revising its language policies, a process it began in 1985. However, as we noted last year, these new policies will further delay the progress still so badly needed in language of work and equitable participation. When the RCMP was called before the Joint Committee on Official Languages to explain its delays in implementing the Act, the Committee found its explanations unsatisfactory and asked it to reappear early in 1987.

Our attention was drawn to three particular points in the revised policies, which have not yet received Treasury Board approval: the proposal to lower from 20.8% to between 12% and 15% the Francophone participation objective for regular members; the almost complete elimination of the superior level of second language knowledge; and the decision to provide language training to all recruits. While in general we support this last point, in our view it is inappropriate to impose language training on recruits who do not have the necessary aptitude for learning a second language. We are firmly opposed to the first two points. Even if it is true that a major portion of Force employees are concentrated in the West and that the provinces in which the RCMP also acts as a provincial and municipal police force pay a portion of the costs of these services, this does not justify further reducing the Francophone participation objective for regular members — already set at 20.8% instead of the usual 27% in light of these very circumstances. Such actions would dangerously compromise the Force's ability to meet the requirements of the Act and the Charter of Rights and Freedoms, not only in terms of equitable participation but also for language of work and service to the public. With Francophones representing only 12% to 15% of the some 12,800 regular members (which, when compared to the 20.8% target, could result in approximately 1,000 fewer Francophones), the Force — contrary to the wish of Parliament — would no longer be truly representative of both language groups. Furthermore, French is already infrequently used and would have great difficulty gaining ground. Even if Anglophone members are becoming increasingly bilingual, the fact remains that Francophones make a major contribution to the bilingual capacity of the Force since they represent two-thirds of all bilingual members. Since members are mobile, both geographically speaking and in terms of federal, provincial or municipal functions, it is important for the Force to have more than the strict minimum of bilingual and Francophone employees to meet the needs imposed by this type of mobility. We have therefore asked the RCMP to maintain its current participation objective, and have encouraged it to avoid the unacceptable imbalances in recruitment that occurred in 1983-84 when 65% of 84 recruits were Francophone, a fact which caused a legitimately negative reaction, particularly in the West.

The decision (already implemented) to eliminate for all practical purposes the superior level of second language knowledge throughout the Force is also unacceptable. It is difficult to understand why the RCMP, which is already experiencing a number of difficulties, particularly in language of work at headquarters, would seek to reduce still further the already low language requirements. Level C requirements apply to only 7% of the positions at headquarters.

The language of service situation continues to be good in the bilingual regions of New Brunswick, Quebec and north-eastern Ontario, where bilingual members represent almost 50% of all employees. The situation is much less acceptable in other regions. West of Manitoba, less than 200 of the 7,500 members are bilingual. In all, 19% (2,980 out of 15,869) of member positions are designated

bilingual, but almost one-third of the incumbents do not meet the requirements. In several regions, a persistent problem is the failure to offer service actively in both languages, particularly during highway patrols and in telephone reception in detachments. This weakness was revealed in complaints and internal RCMP language audits. Given the coercive nature of certain RCMP operations, this is a serious problem. It is difficult to understand why the RCMP has abandoned its initiative of providing unilingual highway patrol officers with a card indicating that members of the public may receive service in either language. In addition, the RCMP missed an excellent opportunity to project the image of a bilingual institution when it assigned only two bilingual members out of 10 to the Canada and British Columbia pavilions at Expo 86 in Vancouver. All other federal organizations present had a much higher proportion of bilingual staff.

On a more positive note, the large majority of new special constables hired to protect embassies and airports are bilingual and the RCMP staffed almost 60% of the bilingual positions in bilingual regions during the year with employees who were already bilingual. In addition, the provincial divisions maintain regular contact with official language minority associations; the British Columbia Division deserves particular congratulations in this respect.

Even though French is gradually acquiring a more appropriate status as a language of work in New Brunswick and north-eastern Ontario as a result of an increased bilingual capability among supervisors, this does not hold true for headquarters. Here French has a far from satisfactory status, particularly at meetings and for supervisory functions. Communications between headquarters and Francophone members in bilingual regions often still occur in English only. This is hardly surprising when over 50% of the incumbents of the some 1,300 bilingual positions at headquarters do not meet the language requirements (a proportion that is even higher among supervisors). These unacceptable proportions have remained virtually unchanged from past years. In our view, the RCMP should devote its energy to resolving these weaknesses rather than to diluting its policies.

As a result of an increased number of Francophone special constables, now approximately 30%, Francophone representation for all members is now 16% as compared to 15% last year. Among regular members it has increased from 14% to 14.6%. The RCMP has also achieved an acceptable balance between the two language groups in its recruitment of regular members; 182 of the 680 recruits (27%) for 1986 were Francophone.

As indicated, revision of the Force's language policies was the major event in the management of its official languages program in 1986. In addition, the number of positions in the Official Languages Branch was reduced from 23 to 11 during the year. Even though some of these employees were assigned to the RCMP Commissioner's Audit Branch, which in future will be responsible for auditing official languages, this reduction is still high considering what yet remains to be done to set the language program on a more solid footing.

In 1986 we received 30 complaints as compared to 22 in 1985. Seventeen dealt with service to the public, several of them focusing on the lack of actively offered service. The other 13 concerned language of work, in particular the difficulties headquarters had communicating in French with the Quebec region. In general, the RCMP was quite co-operative in dealing with complaints, but in some instances we had to insist on more satisfactory explanations or commitments.

Secretary of State

In 1986 the linguistic performance of the Department of the Secretary of State was once again almost impeccable. Its large bilingual capacity enables the Department to provide services in both official languages with no difficulty, and its employees are able to work in the language of their choice. Its only weakness is the participation rates of the two language groups.

Since one of the principles of the Department of the Secretary of State is to serve all Canadians in the official language of their choice, its bilingual employees are generally well distributed across Canada. The only blot on the landscape is the Citizenship Court, which still suffers from a lack of bilingual judges. Despite the appointment of seven judges this year, only 11 of 37 are bilingual, five of whom are in Quebec. The Department has been slow to find solutions to this serious problem, which has persisted for too long, but a task force recently submitted a report to the Under Secretary of State proposing a number of concrete solutions. The Department should also take action on behalf of all Canadians to correct another weakness, that of monitoring the linguistic quality of services provided by the national voluntary associations it subsidizes.

English and French enjoy equal status as languages of work within the Department. Most supervisors are aware of their duties in this regard, and employees know their rights. The latter are supervised, receive their performance appraisals and have access to central and personnel services in the language of their choice. Work documents are in both languages, meetings at all levels are bilingual as required and training and development courses are offered equally in both languages.

Participation rates, excluding that of the Translation Bureau, changed little this year: Anglophones occupy 54.5% of positions, compared to 56% in 1985, and are under-represented in the Administrative Support (47%) and Management (57.6%) categories. In Quebec, Anglophone participation has shown no real improvement (4 of 71, 5.6%).

The Department's official languages objectives are not integrated with its operational plans. This year the Department did not produce an official languages plan, although it did prepare an executive summary. Senior managers are accountable for the language-related activities in their areas and are evaluated accordingly. The Department's internal audit team monitors this situation and the director of official languages provides follow-up. The Department has produced a slide presentation on official languages to give its employees and managers more

detailed information on their rights and responsibilities. Lastly, the decentralization of language responsibilities has resulted in a major staff reduction at the Promotion of Official Languages Branch, thereby limiting its effectiveness.

This year we received 16 complaints against the Department, two more than in 1985. Apart from two about language of work at headquarters, all concerned language of service. Four pointed to the inadequate bilingual capacity of the Citizenship Court. The remaining 10 complaints were the result of administrative oversights and were very promptly settled by the Department. At year's end, four were still under review.

Senate*

Last year we reported that the Senate had begun to bring in the reforms needed for an effective official languages program. Unfortunately, the follow-up to our 1984 audit shows that the Senate has done little this year to reach its objectives. The Senate has no difficulty providing services to the public in both languages, but major weaknesses persist in other areas. The proportion of Anglophones in the Senate Administration, already very low last year, continued to decline in 1986, and official languages program management needs to be considerably improved.

The Senate has the bilingual capacity to provide the public with satisfactory service in both languages. More that 60% of its 386 positions are bilingual; 87% of those are occupied by bilingual incumbents. In addition, 46% of bilingual positions require a superior knowledge of the second language. Tours are provided in English and French and security officers are able to greet visitors in both languages. Senators also receive services in their own language. As reported last year, however, the Senate should use more rigorous testing procedures to assess the language skills of its staff, which are very often assessed solely on the basis of supervisors' evaluations.

Some progress was made on language of work. A number of Anglophone managers in Personnel and Finance are taking French courses, and word processing courses and manuals are now available in French. French is still used only to a limited degree in certain sectors, even though Francophones represent 62% of Senate staff. French is used only 10% of the time at meetings of the management committee because three Anglophones on that committee have a limited knowledge of the language. The Senate considers that nearly one-half of its 54 supervisors possess a superior knowledge of English and French, but eight others are not able to supervise their staff in both languages.

The Senate does not pay enough attention to the problem of Anglophone under-representation on staff. This situation has worsened since last year. Anglophones account for only 38% of personnel, down three percentage points from 1985, and Anglophone representation has fallen as low as 10% among middle managers. In the Operational category, only four of the 14 recently recruited employees

were Anglophone. We have reported this problem to the Senate many times, but nothing has been done. The Senate has neither a plan nor a serious control system to govern these matters.

Official languages program management still requires improvement. The responsibilities of managers, the Personnel Branch and the Co-ordinator of Official Languages have not been clearly defined. As a result, no one really feels responsible for the program's operation. Despite repeated requests, the Senate has not yet prepared an official languages action plan. It promises to integrate its languages objectives in its operational plan for next year and to take account of achievements by senior managers in evaluating their performance. We hope that promise will not be forgotten once again. On the whole, the Senate has acted fully on only nine of the 26 recommendations made in our 1984 audit report. We shall make every effort to have this situation corrected without further delay.

We received no complaints against the Senate in 1986.

Statistics Canada

As a result of the five-year census, held on June 3 and affecting nearly eight million households across Canada, the year was a very busy one for Statistics Canada. On the whole, it provided good services in both official languages before, during and after the census period. It stepped up its efforts to make more equitable use of English and French in the work place and has instituted a large number of control measures for its official languages program.

Statistics Canada appears able to offer its clientele excellent services in both languages; 42% of its employees are effectively bilingual and they are evenly distributed throughout all regions.

Statistics Canada has also made efforts to put French on an equal footing with English as a language of work. Although English is still the predominant language at headquarters, the Agency acted on the recommendations of an internal study report on language of work. As a result, employees and managers are regularly informed of their rights and obligations in this area. French is now used at many meetings, especially those of management, and a series of lunchtime conferences in French has been arranged for all employees. In addition, the Official Languages Division this year conducted a study on French and computers in the work place, the conclusions of which will be available in 1987. During the census period, however, we noted that the Atlantic regional office in Halifax refused to deal in French with Francophone employees from New Brunswick. While this situation is of course unacceptable, we are led to believe it is being resolved.

Statistics Canada has 4,814 employees, 3,047 of whom are Anglophone (63.3%) and 1,767 Francophone (36.7%). Francophones are slightly under-represented at the executive and senior management levels, their participation varying between 21% and 22%, whereas they are over-represented at junior levels (40.5%). Anglophones are under-represented in the Operational (42%) and Administrative

Support (58.4%) categories. Francophones are evenly represented in all regions outside Quebec but Anglophones represent only 5% of the Department's staff in that province, a figure that needs to be increased dramatically.

As part of official languages program management senior managers are held accountable for achieving objectives set during the year and a report on their performance is submitted regularly to top management. As well, the Agency carefully monitors translation, language training, staffing and position classification, and the internal audit group is currently conducting a study on customer satisfaction.

The five-year census of June 3 was the subject of 30 complaints, about the same number as arose from the previous census. Complaints generally concerned unilingual enumerators, the lack of actively offered bilingual service in person and by telephone, and unilingual English- and French-language advertising. We should mention, however, that this advertising was provided free and voluntarily by third parties outside the federal government, some of whom did not agree to do so in both languages. We think that all announcements should have been in both languages since they were public service messages on behalf of the federal government. We hope this matter will be resolved before the next census in 1991. During the census our Office also received six complaints concerning language of work, most of them relating to the staffing process and enumerator training.

Statistics Canada was the subject of nine complaints not related to the census. Of that number, two concerned language of work, two unilingual telephone reception service and two more the lack of advertising in the minority press. The remaining three dealt with various aspects of language of service. Generally, Statistics Canada was co-operative in settling these complaints.

Supply and Services*

The Department of Supply and Services appears to have returned to its normal cruising speed after two years of thorough reorganization. We hope its new structure will be effective enough to enable it to advance even further in implementing its official languages program.

On the whole, the Department conscientiously meets its linguistic obligations toward its clientele. However, it is experiencing some difficulty providing services in French in Winnipeg and Toronto because it has only four bilingual employees in each of those cities. It is high time the Department corrected this situation. Communications with the public are usually in the language of the client, and the Department is stepping up its efforts to determine the linguistic composition of its clientele. The Superannuation Division is recording the language preferences of public servants in their individual files. The language preference of suppliers who deal with the government is also recorded by means of a computerized contract information system. We noted during our last audit, however, that specifications for goods and services required from suppliers are often written in English

only by the client departments procuring such items through Supply and Services. The Department feels it is not responsible for translating specifications for Francophone suppliers. The latter are nevertheless entitled to deal with the government in their own language. Accordingly, Supply and Services, Treasury Board Secretariat and client departments should agree on terms and conditions for the translation and publication of specifications in order to give Anglophone and Francophone suppliers equal opportunities in the contracting process. More equitable treatment of both language groups in that process would help give renewed impetus to the official languages program, both in the federal government and in the private sector.

The Canadian Government Publishing Centre this year began to contract with the private sector for the sale of all federal government publications. The Department decided first to conduct a pilot project, which is currently under way in New Brunswick. Under the project, accredited booksellers in the province are bound by a clause in their contract to serve their clientele in both official languages. Once this project is completed, the Centre intends to negotiate similar contracts with other accredited booksellers across the country.

The Department has 3,742 employees in bilingual positions, 3,270 (87.4%) of whom meet the language requirements of their positions. All receptionist positions in bilingual regions are bilingual, and the Superannuation Division has a call distribution system enabling it to provide rapid service in both languages to some 110,000 clients each year.

This year the Department took steps to promote the equality of the two official languages in the work place more effectively. Among other things, it published and distributed to all employees a revised official languages policy. It raised the language requirements of middle and senior supervisory positions and introduced a control system whereby assistant deputy ministers are informed of every unilingual document distributed to employees and of all unilingual English documentation sent to Quebec offices. A 1986 audit conducted in the branches responsible for supply revealed that French has inadequate status as a language of work among employees in the National Capital Region, the exception to this rule being the Communications Branch which has a large number of Francophone employees. In the other regions, we observed earlier this year that a number of memoranda and directives were distributed to employees, including those in the Montreal region, in English only and bearing the note, "French to follow". This situation is unacceptable, and we would ask the assistant deputy ministers, who are regularly informed of these departures from departmental policy, to take the necessary steps to ensure that information is distributed simultaneously in both languages.

The Department has 9,863 employees, of whom 5,934 are Anglophone (60.2%) and 3,929 (39.8%) Francophone. Francophones are over-represented in the lower ranks (44.9%), but under-represented at the higher levels (20.9%). Anglophone

representation is inadequate in the Operational (37.0%) and Administrative Support (57.8%) categories, while the proportion of Francophones is low in the Management category (22.2%). Anglophone participation in Quebec is only 6.6% in the Montreal region and 1.4% in the rest of the province.

The Department decentralized official languages program management activities as part of its reorganization. As a result, though staff assigned to program implementation was reduced by half, official languages planning was integrated in the Department's planning cycle as a whole, and managers are held entirely accountable for achieving objectives set at the planning stage. We are as yet unable to judge the practical effects of this integration process.

We received 29 complaints against the Department in 1986 compared to 14 in 1985. Of that number, eight concerned telephone and reception services in English only in various offices across Canada, 15 related to unilingual or partly-unilingual publications distributed to the public, circulars, unilingual English inscriptions on labels and two on a seminar for New Brunswick suppliers held in English only without simultaneous interpretation. We also received four complaints regarding language of work, two of which concerned the language requirements of a particular position and two a number of memos and documents in English only. The Department's co-operation in settling these complaints was on the whole good.

Supreme Court

Few significant changes occurred in the linguistic situation at the Supreme Court of Canada in 1986. Even though the Court is able to provide the public with services in both official languages and has finally issued an official languages policy, it is still encountering a number of persistent weaknesses: despite a very high proportion of Francophones, the status of French as a language of work is still unsatisfactory and management of the official languages program lacks vigour.

The Supreme Court has a satisfactory complement of bilingual staff: 50 of the 67 positions require knowledge of both languages and 46 are occupied by bilingual incumbents. Members of the public have no difficulty receiving oral communications and correspondence in the language of their choice, and the Court has taken pains to ensure that its new video-conference service established in 1985 is equipped with an adequate system of simultaneous interpretation. The Court's decisions and reasons for judgment are published simultaneously in English and French.

French is under-used in the work place. Although a majority of employees are Francophone, meetings are held mainly in English. A determining factor in this regard is, of course, the presence of unilingual Anglophones; management should do more to encourage receptive bilingualism among this group and a more active use of French by Francophone employees. Three of the 16 supervisors

are still unilingual. Work documents, however, are available in both languages and employees have access to central and personnel services in the language of their choice.

The staff of the Supreme Court is composed of 39 Francophones and 28 Anglophones. Anglophone representation is thus declining: in 1985 Anglophones represented 42.6% of all staff (26 out of 61 employees); in 1986 this percentage declined to 41.8% (28 out of 67). This imbalance is found in virtually all employment categories and the Court has yet to establish an action plan to correct the situation.

Other than distribution of the official languages policy, very little has happened in the past year with respect to management of the official languages program. The Court should define its objectives and the responsibilities of management more clearly and establish appropriate control mechanisms.

The one complaint received against the Supreme Court in 1986 was quickly resolved.

Transport

In 1986 the Department of Transport devoted a great deal more time and effort to surveys than to improving its modest performance in official languages.

In terms of service to the public, signage is still a weak point at several airports and continues to contravene the Act. Even though the situation has improved in Vancouver, it is quite deplorable in Toronto, where a number of unilingual messages or typographical errors in French texts can still be found. The lack of consistency in this area sometimes provokes adverse reactions from the public. For instance, we were recently asked if it was normal that signage should be in one language only in a federal airport. The Department should take the necessary steps to ensure the immediate introduction of fully bilingual signage in all airports.

Similarly, services provided by concessionaires — car rental outlets, restaurants, newsagents, etc. — do not meet the linguistic expectations of the travelling public. Despite contractual obligations and periodic monitoring by the Department, weaknesses in bilingual signage and services are a persistent problem throughout the entire airport system.

In addition, there has been no significant progress in resolving the problem of the language of in-flight safety instructions. Despite the Department's appeals to airline companies in this regard, travellers still encounter an all-too-frequent lack of bilingual messages. The Department should devote more effort to resolving this issue, which has been under study since 1983.

Last year we congratulated the Department for its decision to provide air traffic control in both official languages at the Ottawa International Airport. However, the deadline for implementing this project is rather distant: August 1988 for the flight service station and the spring of 1989 for visual flight rules.

We must also be critical of the fact that the Newfoundland division of the Coast Guard has not yet issued the results of a survey it began in 1985 on demand for service in English and French. The same snail's pace applies also to the national survey of airports, which was originally slated for completion in 1985. In light of the fact that the results revealed in 1986 were incomplete, the Department's revised official languages strategy is subject to further delays.

The Department has 20,561 employees; 4,464 (21.7%) occupy bilingual positions, and, of these 3,836, (85.9%) meet their language requirements, a slight decline in its bilingual capacity of last year.

With respect to the use of English and French in the work place, we must once again criticize the fact that the report on a survey conducted two years ago on this issue in bilingual regions has just been completed. However, major work-related documents are in both languages and the proportion of bilingual supervisors has grown from 77.7% to 81.4% in the past two years, an encouraging sign of progress.

Use of French in the work place is directly related to overall Francophone participation, which declined slightly from 22.9% in 1985 to 22.7% in 1986. Anglophone participation is still weak in Quebec (7.1%), and Francophones are under-represented in the National Capital Region (23.7%), in New Brunswick (14.0%) and in Manitoba (1.3%). Francophones are also under-represented among employees of the Management (16.7%), Scientific and Professional (19.9%) and Technical (20.0%) categories.

The official languages program was, until recently, administered by a team of 15 employees. Following a restructuring of the Department, however, most of them have been assigned to various components of the Department. Although it is too soon to judge the effects of this change, it is essential that the Department develop more effective control mechanisms. Even if departmental audits of linguistic services in airports are extremely rigorous, measures should be taken to extend their scope to cover the entire program and ensure that all managers are held accountable for implementation of language reform.

We received 41 complaints against the Department in 1986, 11 more than in 1985. Of these, 38 dealt with service to the public, particularly in Ontario and western Canada. Generally speaking, the Department was co-operative in settling complaints.

Treasury Board

The Treasury Board Secretariat, the organization responsible for managing the official languages program within the federal government, administers its own departmental language matters reasonably well but is certainly not beyond reproach. The Board provides service to the public in both languages and an impressive 518 (91.7%) of the 565 staff members in bilingual positions meet the language requirements. On the other hand, there are persistent language of work

difficulties, especially with regard to the limited use of French in meetings and working documents, and continuing imbalances in Anglophone and Francophone participation in various sectors.

The Secretariat has now managed to make its services to the public readily available in both languages. Past problems of unilingual English reception have been corrected.

The Secretariat sought to improve the language of work situation in 1986 by sending detailed directives to all staff regularly chairing meetings, telling them to follow certain procedures to promote the free use of the two languages, such as distributing bilingual agendas and having the chairperson encourage participants to express themselves in the language of their choice. Employees, too, were reminded of their language rights with respect to meetings. Lack of follow-up, however, has resulted in some uneven implementation. Work also continued during the year on problems associated with information technology and language. Accents on keyboards and printers, bilingual manuals for technical equipment and accessing information banks in both languages continued to be matters of concern requiring urgent action.

Anglophones in the Secretariat number 464 (63.9%), Francophones 262 (36.1%). Francophone participation is still slightly weak (20 of 82, or 24.4%) among senior managers and Anglophones are under-represented among administrative support staff (45%). These participation imbalances have persisted for several years and little has been done to correct them. For example, only nine (13.8%) of 65 new appointments to the Secretariat's executive and senior manager positions went to Francophones. The Secretariat should make every effort, with due regard for the merit principle, to correct this situation.

We received eight complaints against the Secretariat in 1986, compared to six last year. Four dealt with language of service and resulted from minor administrative errors. However, the other four related to language of work and were fairly serious, revealing that constraints on the use of French still exist within the Secretariat. Unilingual English documents were still circulated, Francophones were often required to speak English at meetings, and internal services of a technical nature were not always offered as freely in French as in English. By year's end, senior management had made a commitment to resolve these issues.

Veterans Affairs*

Improved service to the public was a positive outcome of efforts of the Department of Veterans Affairs to improve its official languages program in 1986. However, few tangible results were achieved in increasing the use of French in the work place and the admittedly difficult tasks of recruiting and retaining Francophone employees at its Charlottetown headquarters proved, once again, to be beyond the Department's capacity.

Follow-up visits in 1986 to assess the Department's progress in implementing the recommendations of our 1984 audit determined that 27 of 31 recommendations have been either fully or partially implemented. One of the remaining four, dealing with translation of the Department's electronic data processing manuals, has been delayed because of extensive rewriting of the manuals themselves. Another, calling for a plan to address the problem of low Francophone participation in Charlottetown and in the West, demands immediate action. The other two called on the Veterans Services and Veterans Land Administration directorates to undertake a survey to determine client language preferences; while preliminary planning for this is now completed, a major reorganization has delayed implementation.

Employees were recently sent a written reminder of the Department's policy on active offer of service and of the required standards for signage in reception areas; however, in spite of this initiative, weaknesses in a few key locations still exist. French-language service capacity is poor in both Toronto and Windsor, to the extent that a veteran seeking to be served in French in the latter office was referred to a bilingual officer of another department entirely.

Of the Department's total of 698 supervisory positions, 342 (49%) are designated bilingual and occupied by qualified incumbents. Supervision and performance appraisals are generally in the language of the employee's choice and managers' second language capacity has improved; the number of supervisors qualified at the intermediate level of linguistic proficiency has risen from 220 to 256. However, the language of work everywhere except Quebec is English. Even in offices in bilingual regions and at the Charlottetown administrative headquarters, French is rarely to be heard in the work place. As the participation statistics demonstrate, this situation is unlikely to change.

While 1,452 of the Department's 3,648 employees are Francophone (39.8%), 1,201 of these are located in Quebec, 1,097 at Sainte-Anne-de-Bellevue Hospital near Montreal. If the hospital contingent is discounted, the percentage of Francophones falls to 14.9% department-wide and, since 108 of the 266 positions still located in the National Capital Region are occupied by Francophones, it is evident that their distribution elsewhere is alarmingly thin.

The focus of greatest concern is still the Department's administrative headquarters at Charlottetown. The number of Francophone employees there has decreased from 13.8% to 12.3% (95 out of 770). Although recruitment efforts have ranged as far as the Université de Moncton and the Magdalen Islands and the area of competition for appointments has been expanded to include Quebec and New Brunswick, the downward pressure on participation levels continues; Francophones who had made a two-year commitment to work in Charlottetown are choosing, in increasing numbers, to exercise their option to return to locations where education, entertainment and other services are more readily available to them and their families in their first language.

Our 1984 audit recommendation for a detailed plan to address the problem of unbalanced participation in headquarters and in the regions has still not been addressed, and yet the need for a carefully planned approach to this issue has never been greater. Nor is the problem unique to Charlottetown. West of the National Capital Region, only 23 out of 960 positions (2.4%) are filled by Francophones. Only 15% of positions in the Management category have Francophone incumbents, while in the Administrative and Foreign Service category Francophone participation has improved but is still low at 19%.

Other initiatives have been more encouraging. A detailed review of the linguistic designations of all positions has begun and a new system of quarterly official languages reports enables service to the public to be carefully monitored. An attractive and readable booklet entitled "Official Languages - Your Rights and Responsibilities" was distributed to all employees in September 1986, and the message has since been reinforced by a series of newsletters dealing with related topics. A summary of our 1985 Annual Report highlighting issues of relevance to the Department and inviting managers to assess the strengths and weaknesses of their own operation in its light was sent to all senior managers in the spring of 1986.

As was the case with the Department, the audits of the four associated agencies, the Canadian Pension Commission, the Bureau of Pension Advocates, the War Veterans Allowance Board and the Pension Review Board conducted in 1984 were followed up in the summer of 1986.

The Canadian Pension Commission's original staff of 350 has, to a very large extent, been absorbed within the Department. Despite this major reorganization, six of the nine recommendations had been implemented. Of the remaining three, one called for the Commission to monitor application of its policy, another sought greater managerial accountability and the third concerned the identification of veterans' language preferences. Of the 21 positions still occupied as of August 1986, all were located in Charlottetown and 10 were filled by Francophones.

The Bureau of Pension Advocates had implemented two of five audit recommendations: bilingual capacity has improved in Toronto and Winnipeg and both English and French may now be used in meetings. On the other hand, systems to monitor and evaluate the linguistic quality of service to veterans had not yet been established, employees had still to be informed of their rights and responsibilities and arrangements to ensure that performance appraisals are conducted in the official language chosen by the employees had yet to made. In common with most other components of the Veterans Affairs portfolio, little improvement has been made in equitable participation patterns. Twenty-nine of 132 employees (22%) are Francophones.

The War Veterans Allowance Board has further improved its already excellent linguistic performance. Telephone and personal reception are now in both

languages and linguistic service to the public is consistently good. Eleven of 14 employees in bilingual positions, including all four supervisors, meet the requirements of their positions. All employees have received written reminders of their right to have performance appraisals conducted in the language of their choice and a new appraisal form includes an indication of the employee's preferred language. Internal directives are now sent out in both languages and this quality linguistic performance is suitably rounded out by a participation ratio of 10 Francophones (37%) to 17 Anglophones (63%), all of them located in Charlottetown.

The Pension Review Board has informed its employees of their linguistic rights and responsibilities and impressive progress has been made toward more balanced participation. Whereas there were only three Anglophones among a total of 14 staff in 1984, the Board now has a staff of 23, of whom 12 are Anglophones, while several additional term positions have also been filled by Anglophones. Service to the public is available in English and French, and both languages are freely used in the work place.

Three complaints were received against the Department during 1986, one more than in 1985. One was from a Francophone veteran who received a bilingual form partially completed in English, while the other two involved lack of bilingual reception at the Prince Edward Island and North Bay district offices. All have since been resolved. The complaint received during 1985 regarding a unilingual visitors' book at a Commonwealth Cemetery at Beny-sur-Mer in France has been resolved satisfactorily as has an additional complaint against the Commonwealth War Graves Commission regarding unilingual English stationery. No complaints were received against any of the four agencies.

Via Rail

In 1986 Via Rail Canada Inc. continued to implement the official languages program it developed several years ago. However, despite its efforts to recruit bilingual staff, the absence of language clauses in collective agreements still remains the chief impediment to providing bilingual service to travellers. The Corporation has also demonstrated little progress in its efforts to make French a genuine language of work on the same basis as English at Montreal headquarters and in establishments in New Brunswick.

Via's language of service achievements this year include its evaluation of the language skills of train personnel. Via's publication of advertising in minority language newspapers is now an integral part of its advertising campaigns, the Corporation having tightened its controls in this area as a result of complaints.

The public has no difficulty obtaining written information in the form of brochures, correspondence or signage in the appropriate language. The same is true for communications with telephone and information reservation services, where the initial greeting is bilingual. However, only in Quebec can passengers generally

expect to receive service of equal quality in English and French from station and train employees. Elsewhere, even in New Brunswick, Francophone travellers may consider themselves lucky if they receive service in their language, or are offered the possibility of being referred to a bilingual employee. The experience of one passenger who travelled twice between Toronto and Montreal in May 1986 is particularly unfortunate: on both occasions he received highly cavalier treatment from the crew member in charge of public announcements for having asked that such messages also be given in French.

In the absence of language clauses in collective agreements between the Canadian Brotherhood of Railway, Transport and General Workers and Via, station and train employees are still assigned to positions without regard for the rights of passengers to service in the language of their choice. In addition, the union-management committee established as a result of the last negotiations "to seek and recommend mutually satisfactory ways to increase the level of bilingual service provided by out-front employees to customers and the public" never met. It is completely unacceptable that such a situation should continue 17 years after adoption of the Official Languages Act. Should there be a railway accident, the absence or inadequate number of bilingual employees might even compromise the safety of travellers. We would therefore ask all parties to this issue to give proper recognition this year to the rights of the travelling public and to provide them with the appropriate linguistic services.

On the language of work front, internal courses and work documents (including computerized systems with many users) are generally available in both languages. However, draft documents requiring input from staff are usually circulated in English only, a situation which would be acceptable only if it worked in both directions. The final English text of work documents is often available earlier than the French version. Moreover, both at headquarters and at Via Atlantic, French does not enjoy equal status with English as a language of supervision, internal meetings and performance appraisals. Indeed, the right of employees to receive performance appraisals in the language of their choice has still not been formally recognized.

Via Rail has 4,366 employees, 33% of whom are Francophone (these figures do not include the 1,500 maintenance employees from CN). The Francophone participation rate among train employees is only 23.4%, whereas for unionized employees working in stations and telephone reservation centres it is 31.3%. Francophones represent 26.7% of senior executives, 34.8% of senior managers, 41.9% of middle managers and 60.9% (39 out of 64) of administrative support staff. There are 62 Francophones with Via Ontario (5.9%), 36 with Via West (3.6%) and 138 with Via Atlantic (31.2%). In Quebec, Via employs 653 Anglophones, 35.2% of all employees in this region.

In terms of managerial accountability only senior level managers are held responsible for the achievement of language objectives. Via would do well to

make all its managers accountable for language matters, as part of their performance evaluation, and should incorporate official languages in all its internal audits.

In 1986 we received 36 complaints against Via Rail, as compared to 30 last year. Of this year's total, 28 related to the lack of service in French in stations and on trains, 13 of the latter being directly critical of CN employees involved in ticket control and public announcement positions. Thanks to good co-operation from the Corporation, we were able to settle all complaints dealing with material issues; however, those involving railroad service staff are rarely resolved in a satisfactory manner.

PART IV

The Minorities: More Action Please

Minority News: Actions Speak Louder

Nineteen eighty-six yielded a good crop of linguistic events in every Canadian province and territory. This chapter examines certain key issues, outlines the achievements of the major national minority organizations, and then provides a brief province-by-province overview of the year's major legal, educational, institutional and community issues. Recent case law in language rights is thoroughly analysed in Part I (see Language Rights*) and a commentary on broadcasting and the expectations of official language minorities in this regard is presented in the following chapter. Chapter 2 of Part V provides information on access to post-secondary education in French outside Quebec.*

In February 1986 the presidents of the Fédération des Francophones hors Québec (FFHQ), Alliance Quebec, the Société nationale des Acadiens and other minority organizations presented their demands to the Standing Joint Committee on Official Languages. In the spirit of our October 1985 colloquium, "The Minorities: A Time for Solutions", the purpose of which was to chart new roads to renewal, they urged the federal government to make a clear statement of its intentions regarding Canada's language regime. Essentially, they expressed the wish that the federal government, the provinces and other players involved pay more attention to achieving the linguistic equality recognized in the Constitution and agree on a detailed national plan to ensure that the language rights of all minority communities in Canada are recognized and respected, particularly in education, the administration of justice and government services. The minorities clearly know what they want, even if the parties to the Canadian Charter of Rights and Freedoms appear at times to have forgotten that their commitments entail specific obligations.

Education rights

Demographic data from the 1986 five-year census will doubtless confirm that assimilation is still undermining most Francophone communities outside Quebec and that migration is having similar effects on Anglophones in that province. Clearly there is an urgent need for governments and other players to work together in support of our language minorities and thereby safeguard our cultural pluralism. Consider, for example, the application of Section 23 of the Charter, which establishes the right of official language minorities to instruction in their language.

That right is a crucial component of the protection afforded our minorities; if there is one constitutional provision that requires a broad and generous interpretation, Section 23 is it. However, the Foucher Report,[1] which we examined in our 1985 Annual Report, made it clear that the education laws of most provinces do not meet the requirements of the Charter. Outside Quebec, Ontario and New Brunswick, this situation changed very little in 1986.

Section 23 of the Charter was not designed to confirm the status quo, but rather to right past wrongs by guaranteeing the minorities the right to instruction and to schools as well as the right of parents to have their say in the management of those schools. Section 23 promised our official language minorities the same rights that the majority has always enjoyed. Accordingly, one might reasonably have expected an increase in the number of French-language schools and of students attending them. Such has not been the case. Very few new French-language schools have been established, and the minority student population continues to decline. Meanwhile, the minorities wander from court to court seeking justice. It is high time to put an end to this sorry state of affairs.

This year various provincial and territorial minority associations and the FFHQ stepped up their collective efforts to fully enjoy the education rights recognized by the Charter. Their action took a number of forms: task forces, speeches, meetings with national, provincial and political leaders and contacts with the media. Their purpose was to make Canadians and their political leaders aware of the seriousness of the educational situation for Francophones outside Quebec and to encourage them to apply prompt practical remedies.

At a national colloquium on Section 23 in November, the Commission nationale des parents francophones (CNPF) invited the federal and provincial governments to work together on these issues. Specifically, it asked the Department of the Secretary of State and the Council of Ministers of Education, Canada, to conduct a joint study on the legislative and administrative action needed to give effect to the education provisions of the Charter. The Commissioner wholeheartedly supports such a study and has joined with the CNPF and other associations in an effort to see it undertaken.

The Department of the Secretary of State at last appears ready to stand up and be counted. We recommend it do all it can to assist the provinces both in setting up the educational infrastructure and providing the necessary human and other resources. Even in a time of budgetary restraint, our Government cannot afford to disregard the pressing need for better minority language education, a matter of basic justice and good faith. The agreements with the provinces to promote official languages in education expire in 1988. Their imminent renegotiation should afford the federal government an opportunity to discuss new initiatives for ensuring full compliance with Section 23 of the Charter.

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[1] Pierre Foucher, *Constitutional Language Rights of Official Language Minorities in Canada.*

Language and the courts

Invoking the concept of equality before the law set out in Section 15 of the Charter, a number of minority associations took the authorities to task for not enforcing Part XIV(1) of the Criminal Code, which entitles accused persons to appear before a judge (or before a judge and jury) who speaks their language. This provision still applies only in the territories and in three provinces (Manitoba, Ontario and New Brunswick); earlier provisions establishing bilingual juries remain in force in Quebec. We were thus pleased to learn last February that, starting in 1987, provinces had agreed to discuss implementation of this part of the Code in their areas of jurisdiction. The federal Minister of Justice announced in December that Part XIV(1) of the Code would take effect in Prince Edward Island in September 1987. He also said he intended to propose amendments to the Criminal Code and probably to the Official Languages Act to define rights and obligations in this area more clearly.

Essential services

For years now, Quebec, Ontario and New Brunswick have offered, or at least tried to offer, a full range of health and social services to their minorities. Although not legally bound to do so, the other provinces, realizing that their Francophone populations are highly interested in such services, are considering what might be done to improve matters. Recent initiatives, ranging from inventories of bilingual staff and bilingual signage in certain locations to policy guidelines and actual services in French, suggest that greater progress is certainly possible. For many provincial administrators, however, the aim of providing citizens with even limited services in the official language of their choice remains a genuine puzzle. Perhaps the greatest barrier to reform is simply the exaggerated ideas that governments and administrators have about its implications. Here too the federal government has not always set the best example or provided adequate, co-ordinated support. There would certainly be more hope for improvement if it did so.

At a time when there appears to be a rising wave of popular support for language reform, the federal government has let it be known that it is prepared to look at new avenues of federal-provincial co-operation in promoting a full range of social, health and other essential services in the minority language. The Commissioner's discussions with provincial ministers and other elected representatives lead him to believe that some of them would be ready to buy a detailed practical plan. It is also worth noting that a number of minority organizations have sought to strengthen their ties with majority communities by creating joint-action groups to improve minority services. In the Eastern Townships, one such group has worked with representatives of Employment and Immigration on ways to give young Anglophones access to local jobs. Similar projects are under way elsewhere in Canada, and we shall report on them next year.

FFHQ

In May Gilles Le Blanc, then President of the Fédération des Francophones hors Québec, sent an open letter to the Prime Minister of Canada in which he emphasized that language reform must "be vigorously pursued and reinforced". Reminding Government that it has a major role to play in protecting and encouraging the development of Francophone communities outside Quebec, he

deplored cuts by the Secretary of State's Department in grants to minority associations and the unfair distribution of federal funds for minority language instruction. On behalf of the FFHQ, Mr. Le Blanc made two requests of the Prime Minister and his government: "First, thorough changes to the language regime to give the reform the foundation it needs to offer our communities hope for the future and greater unity to our country and, second ... decisions that match your official languages commitments."

Throughout 1986 the FFHQ continued its efforts to prod the federal government into making good on its commitment to national reconciliation through comprehensive revision of the official languages regime. In particular, it proposed a series of amendments to the Official Languages Act designed to make the Act more binding. There is no lack of fresh ideas.

This year, minority associations had the unfortunate, and apparently well-founded, impression of not being truly consulted on issues directly affecting them, such as reductions in their government grants. Indeed, the federal government in general, and the Secretary of State's Department in particular, have been long on promises and short on delivery. In our view, the Department should restore association funding to previous levels and provide more if needed, as is done in other key sectors.

Some 10 years after its founding, the FFHQ decided to conduct a thorough review of its by-laws and organization. Among other things, the Fédération replaced its board of directors with a national council of presidents, and decided to fill its presidency on a voluntary basis. The main aim of the reorganization was to bring Canada's Francophone communities closer together.

Support from Quebec

Francophone minorities outside Quebec received better support this year from the new Quebec government. In May the province's Minister of Intergovernmental Relations, Gil Rémillard, informed a colloquium at Mont Gabriel that one of his government's main aims during the next round of constitutional talks was to improve the situation of Francophones outside Quebec. One key to protecting Francophone minorities, the Minister said, was respect for the educational guarantees of the Charter. Nor was Quebec's interest in other Francophone communities in Canada purely philosophical and political; it was also expressed in dollars and cents. For example, last October the government of Quebec announced grants of $75,000 to the Association canadienne-française de l'Ontario and $20,000 to the organizers of the Festival franco-ontarien, a yearly event in the National Capital.

The federal government recognized the importance of Francophone communities outside Quebec by inviting representatives of their associations to join the Canadian delegation at the first summit of Francophone countries in Paris last February. It will presumably do the same for the 1987 summit in Quebec City. The gesture was of course symbolic, but we hope that by 1987 the federal government will have taken enough action on a number of fronts to stand tall at the summit as

a true defender of Canada's minorities. In late 1986, the government of Canada was preparing to consult the FFHQ and Alliance Quebec on its proposed amendments to the Official Languages Act.

Alliance Quebec

In addition to its many provincial initiatives, Alliance Quebec introduced a five-point policy to promote Canada's linguistic duality. It would: 1) maintain its contacts with Francophone associations outside Quebec; 2) fight for the recognition of basic language rights across Canada; 3) foster greater understanding between majority and minority language communities; 4) establish programs to promote and provide basic information on language rights and linguistic equality in co-operation with Francophone organizations outside Quebec; and 5) inform the Canadian public about the multicultural dimension of the two official language communities and about the complementary nature of bilingualism and multiculturalism. Like the FFHQ, Alliance Quebec this year talked to many political leaders about the urgent need for a thorough review of official languages programs. True to its word, it also continued its defence of minorities outside Quebec, in particular in the École Bugnet case in Alberta.

The Commissioner's work

The Commissioner travels frequently to assess the needs of our official language minorities and to meet with their associations as well as with the federal public servants who serve them and the politicians who represent them. This year he visited seven provinces: British Columbia, Manitoba, Ontario, Quebec, New Brunswick, Nova Scotia and Prince Edward Island. The main purpose of his trips was to establish and maintain a dialogue with provincial premiers, members of their cabinets and senior public servants, to exchange impressions and information on minority communities and to visit regions of special interest. In each instance, the Commissioner was able to outline and discuss minority demands, with particular emphasis on the need for closer relations between minority communities and their governments. These grass-roots contacts are a useful complement to the essential work of our regional office staff. (The Commissioner's activities are described more fully in Appendix A.)

The West

In October the Centre d'études franco-canadiennes de l'Ouest held its sixth annual colloquium in Vancouver on the theme "Les outils de la francophonie". Participants reported a number of achievements in French-language instruction and in research on the history of Francophone communities in the West. At the Forum de la francophonie in September, France Levasseur-Ouimet, of the Faculté Saint-Jean, University of Alberta, spoke eloquently of the successful struggle of Francophone communities in the West: "But you, members of my generation, look at what you have created, what you have inspired, what you have built. Think of all that you have accomplished in the past five years against all odds. Look at all the things that have flourished because you made them grow." So, if the Francophone communities in the West had many obstacles to face this year, they once again revealed their exemplary fortitude and determination.

Manitoba's unilingual laws continued to make the news; their translation is well under way and should be completed by 1990. In May the Supreme Court of Canada handed down its decision in the Bilodeau case, which it heard in June 1984. The affair concerned a Manitoba court's refusal to try a case concerning a parking ticket in French. An appeal was filed to have the province's laws and other legal instruments declared null and void since they had not been printed and published in both official languages in accordance with Section 23 of the Manitoba Act, 1870. While confirming the bilingual status of Manitoba's legislature and judiciary and reaffirming the province's obligation to translate its statutes, the Supreme Court found that unilingual laws are nevertheless still valid. The accused had to pay his fine.

In *Terence Waite* v. *Registrar of Motor Vehicles*, another maverick motorist challenged the validity of Manitoba's legislative process, alleging that the French text of the Highway Code had not been printed and published at the same time as the English text and that the archives, records and journals of the provincial legislature existed only in English. The Court of Queen's Bench found that the Constitution had been violated in both cases, but decided to resolve the affair by invoking the principle of "substantial compliance". Either Manitoba drivers ran out of luck this year or else the limousine of state simply had the right of way. In any case, for the moment, the courts appear more than a little hesitant to set aside laws simply because not all procedures have been followed for their publication in French.

In May the Supreme Court of Canada denied a petition for leave to appeal in *Robin* v. *Collège Saint-Boniface* regarding the right of an accused to a trial in his or her own language. The petition arose from a trial for breach of contract in which all the parties, counsel and witnesses were Francophone and all trial exhibits prepared in French. The judge appointed to hear the case, however, was Anglophone and unable to understand the proceedings without the aid of an interpreter. Counsel for the defendant had asked the court to appoint another judge capable of following the trial in French, but the request was denied. The Supreme Court gave no reasons for its decision.

Franco-Manitoban parents had a bone to pick with provincial authorities this year over the management of their schools. In October 1985 the government announced the creation of the Education Rights Review, but the group's mandate appears to have been modified somewhat since that time. Although the province's Public Schools Act guarantees Francophones some access to instruction in French, it makes insufficient provision for such matters as free busing. This is nevertheless a key issue for small, isolated minority communities such as Thompson, where parents tried to have the Mystery Lake School District pay busing costs for immersion students living more than one mile from their school. The provincial Court of Appeal this year reversed a lower court decision in favour of the parents.

Since for the moment Francophone children in a number of Manitoba towns have no choice but to attend immersion classes, the decision has placed them at the mercy of the majority school authorities.

The Société franco-manitobaine has been trying for some time to form an association of French-language schools and establish a clear distinction between French education and French immersion. In September, tired of endless discussion, the Fédération provinciale des comités de parents filed suit to have the government comply with all the provisions of Section 23 of the Charter. We do not really know why provincial leaders have failed to act, but there is a good chance that a court challenge will heighten tensions without providing real solutions — which require above all else openness and generosity.

The Société franco-manitobaine has also sought actively to promote municipal and provincial services in French: the results of a survey on this issue it published in the spring are encouraging. In December the premier of Manitoba, Howard Pawley, accepted the Société's invitation to discuss the matter of provincial services and stated that, in the following six months, departments and agencies would be required to present a plan for implementing the 1982 directive on French-language services.

Francophone groups in **Saskatchewan** were saddened by the death of Father André Mercure on April 29, 1986. Father Mercure, one of the chief defenders of Francophone rights in the province, sparked considerable legal debate by demanding a French trial for a traffic violation in 1981. Father Mercure's purpose was to determine whether Section 110 of the North-West Territories Act, 1891, was still in effect in Saskatchewan. In October 1985 the Court of Appeal ruled that Section 110 was still in effect, but gave no indication as to its scope. After obtaining authorization to act in Father Mercure's place, the Association culturelle franco-canadienne de la Saskatchewan, the FFHQ and the Association canadienne-française de l'Alberta took the case to the Supreme Court of Canada, where it was heard in November. The Court's decision is eagerly awaited.

Two other court decisions are also pending. First, the Saskatchewan Court of Appeal is about to issue an advisory opinion in the case which the provincial government referred to it last year concerning its obligations under Section 110 with regard to the right of an accused to be tried in the official language of his choice. (In June 1985 the Court of Queen's Bench confirmed the right of a Francophone accused to use French in trial proceedings in the province.) Second, the Court of Queen's Bench is expected to rule soon on the petition for declaratory judgment filed by the Commission des écoles fransaskoises and 11 other petitioners in order to gain recognition of the right of Saskatchewan Francophones to manage their schools and to challenge the constitutionality of the Public Schools Act.

Like those in Saskatchewan, **Alberta's** judges reviewed the present scope of Section 110 this year. In November the Alberta Court of Appeal handed down its decision in the Lefebvre case. In a majority decision, the Court found that

Section 110 was not an integral part of the Territories' constitution in that it did not have the same effect as Section 133 of the Constitution Act, 1867. This chapter of our linguistic history is not yet finished, however, because the decision has been appealed. In July 1985, in the Paquette case, Mr. Justice Sinclair of the Court of Queen's Bench confirmed the right of Francophones under Section 110 to use their language in trial proceedings before a judge who can understand that language. The province subsequently requested a ruling from the same Court concerning the matter of bilingual juries. The Court is still deliberating. In the meantime, a first trial in French was held at Vermilion in May and a second at Red Deer in August, though not without a few translation problems. In October a defendant surprised the Court of Queen's Bench in Edmonton by requesting a trial in French at the last minute. The trial was adjourned so that the matter could be resolved. Finally, in June, a Francophone member of the provincial legislature, Léo Piquette, past president of the Association canadienne-française de l'Alberta, Plamondon chapter, invoked Section 110 in order to address the Alberta legislature in French.

The Franco-Albertan community reopened debate on its right to manage its schools by appealing the decision of Mr. Justice Purvis of the Court of Queen's Bench in the matter of École Georges-et-Julia-Bugnet. Mr. Justice Purvis had found that the Alberta Public Schools Act was inconsistent with the provisions of Section 23 of the Charter since it did not grant Francophone parents sufficient say in managing their own educational facilities. However, the Court did not define the exact scope of such a right. With the support of many interested parties, including this Office and Alliance Quebec, the parents' association went before the Alberta Court of Appeal to argue that, under Section 23, Francophone parents should have the means to provide their children with instruction that is equal in quality to that provided in English. Counsel for the Commissioner emphasized the reparative nature of Section 23 and stressed how important it was to find practical solutions rather than waste time and effort in sterile legal disputes that run counter to the spirit of the Constitution. The Court has not yet rendered its decision.

The Edmonton Catholic School Board made an attempt to relieve tensions created by discussions about the French nature of the École secondaire J.-H.-Picard, which is attended by both Francophone students and Anglophone immersion students. After much to-ing and fro-ing, the Board was persuaded by the arguments of Francophone parents and settled the matter by suggesting that Francophone students be brought together under one program and that administrative steps be taken to promote communications in French. A long-term solution also appears in the offing: there is talk of establishing a secondary school for Anglophone immersion students.

Francophone parents in Calgary, a number of whom are obliged to send their children to Collège Mathieu in Gravelbourg, Saskatchewan, have been seeking their own French-language secondary school. Even though the Calgary Catholic School Board provides approximately $5,000 for each student who travels, parents

are nevertheless required to pay an additional $2,000 or so. As a result, certain parents have no other choice but to register their children in English-language schools. However, it is far from clear that all the means of providing French-language instruction on the spot have been explored.

A number of suits were filed this year to force certain Alberta school boards to pay the cost of school busing (*Anderson* v. *Calgary School Board*; *St. Thomas Parents Advisory Society* v. *Attorney General of Alberta* and *Molgat* v. *Lacombe School Board*). Although some of the actions concerned the cost of transporting students to immersion schools (often Hobson's choice for Francophone children) and others concerned the busing of students to French-language schools, the problem was essentially the same. What is the use of a school if students cannot get to it? Clearly a broader interpretation must be given to Section 23 of the Charter if it is to produce the desired effect.

The Association canadienne-française de l'Alberta this year celebrated the 60th anniversary of its founding — 60 years of fighting the good fight. As one editorialist put it, "If it were not for ACFA, very few of us in Alberta would still be able to call ourselves Francophones."[1]

In October the **British Columbia** Court of Appeal ruled that the language rights of the Francophone minority did not include the right to use French in official documents submitted to the province's courts. The Fédération des Franco-Colombiens had purposely raised the issue by submitting a document written almost entirely in French in respect of a suit for wrongful dismissal. The Court of Appeal indicated that sections 16 to 22 of the Charter did not prevent British Columbia from prescribing the use of English in civil proceedings. In the Piché case, in Kamloops, the court will soon be asked to re-examine the status of French, this time in criminal proceedings.

Since its official opening in May 1986, the École Victor-Brodeur in Victoria (enrolment 240) has become the largest French-language school in British Columbia. The school, which offers classes from kindergarten to grade seven, is an excellent example of what can be achieved when various groups (school boards, parents, city councillors and federal and provincial governments) co-operate to fulfil the right of Francophones to a good education in their own language. There is one cloud on the horizon: there is now talk of adding immersion classes. It is difficult to see how such an action would not prove detrimental to the aim of ensuring a homogeneous language environment for Francophones.

Lastly, although the situation was not perfect, visitors from Canada and abroad were, by and large, welcomed to Expo 86 in both official languages. The citizens of British Columbia were quite rightly rather proud of this achievement.

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[1] *Le Franco-Albertain*, October 24, 1985.

In linguistic terms, 1986 brought little in the way of good news for Francophones in the **Yukon.** In late September Mr. Justice Perry Meyer of the territorial Supreme Court rejected the appeal in the St-Jean case. Following a traffic violation, Mr. St-Jean had invoked the Charter to contest the lack of documents and services in French. At issue was whether the Yukon government was or was not an "institution" of the Parliament of Canada and therefore subject to the federal language regime. Mr. Justice Meyer ruled that it was not and that the status of the territorial government was similar to that of a municipal government or a school board in Quebec. In Blaikie II, the Supreme Court of Canada had found that Section 133 of the Constitution Act, 1867 (and *a fortiori* the provisions of the Charter), could not be invoked in the case of municipalities and school boards of Quebec. The decision is being appealed.

In the meantime, the governments of Canada and the Yukon are still trying to reach agreement on recognizing English and French as official languages, or at least recognizing the French fact. It is easy to understand the frustration of Yukon Francophones, who fear that promises of services in French may be quietly forgotten. On this point, the Commissioner has already taken the position that the federal government must ensure that the status of French is recognized in Yukon law and government, as it has done in the case of the Northwest Territories. It must also provide the Yukon government with the means to give effect to the language provisions of the Charter.

In September the Centre français introduced a French-language pilot project at the F. H. Collins secondary school in Whitehorse. Courses are now offered in French to Francophone students and to other children for whom French is a second language. Five students are currently registered in the program and more are expected in the second semester.

Francophones in the **Northwest Territories** are becoming rather impatient. In June, the Association culturelle Franco-TéNOise criticized the inaction of the federal and territorial governments on French-language services, and with good reason: the introduction of official bilingualism has been postponed until 1990. The Department of the Secretary of State nevertheless contributed $211,000 this year toward, among other things, the hiring of a project officer, two translator-interpreters and one support employee. As a result, the territorial government is now able to provide some services in French.

For a number of years the western provinces and federal territories have seemed obsessed by the linguistic constraints and obligations which history and the Constitution appear to have thrust upon them. Seen from another angle, however, these various debates are an exciting challenge that is well worth taking up.

Ontario

This year, Ontario took several major steps toward recognizing French as an official language. These achievements contributed to making 1986 a vintage year for French-speakers in the province.

French Language Services Act, 1986

On May 1 Bernard Grandmaître, Minister responsible for Francophone Affairs, tabled a French-language services bill in the Ontario legislature. Adopted on November 18, the new Act recognizes the right of Ontarians to be served in French by the government of Ontario in areas where the Francophone population represents at least 10 per cent of the total population or is over 5,000. Legislative guarantees will go into effect in three years. In the meantime, a commission has been established to improve and expand French-language services. In developing these services, the government of Ontario drew on the expertise of the government of Quebec, and the two provinces are now discussing various joint projects. A first agreement on co-operation in post-secondary education was ratified in December. The five-year agreement is designed to promote access for Franco-Ontarian students to certain Quebec university programs, particularly in health sciences, social work and nursing. These arrangements will assist Ontario in overcoming shortages in human resources in a number of key sectors where services in French are guaranteed under the Act.

While recognizing that adoption of this legislation is undeniably a major step toward recognition of the French fact in the province, the Association canadienne-française de l'Ontario and other interested bodies have nevertheless drawn attention to certain weaknesses in the Act, in particular as it concerns health services, para-public agencies and municipalities.

Bilingualism in the Legislature

Acting on a report by a Parliamentary committee, simultaneous interpretation was introduced in the Ontario legislature this fall. The system's installation coincided with the start of regular broadcasting of debates. For the first time, a Franco-Ontarian, Claude DesRosiers, will sit as clerk of the legislature. Lastly, Ontario has become a member of the Association des parlementaires de langue française. Even though French still does not enjoy constitutional status as an official language in Ontario, the French Language Services Act has confirmed the right of Ontarians to use French in the debates and other work of the legislature and requires that the province's legislation be tabled and adopted in both official languages.

Courts of Justice Act

In July the province enacted Section 135 of the Courts of Justice Act, under which English and French are the official languages of the courts of Ontario. The Act also provides that "a party who speaks the French language has the right to require that the hearing be conducted before a judge and jurors who speak both the English and French languages". Furthermore, all provincial offences courts were to be bilingual as of December 31, 1986. We therefore found it passing strange that the federal Minister of Justice appointed a unilingual Anglophone to the Ontario Court of Appeal last February. A case of the right hand not knowing what the left is doing!

La chaîne française

The French channel of TVOntario (*la chaîne française*) this year obtained a licence from the CRTC and was to begin broadcasting some 70 hours of programming

per week starting in January 1987. Initially, the channel will reach approximately 65 per cent of Ontario households, but plans are set for the construction of retransmitters in Sudbury (fall 1987) and Hawkesbury (spring 1988). Creation of the French channel is a major achievement applauded by all Francophones and francophiles in Ontario. It also has the virtue of being a project that was implemented quickly while other schemes remain on the drawing board.

The case of Kapuskasing

In the spring Kapuskasing town councillors passed a municipal by-law providing that, for the purposes of the municipality, English and French were to enjoy equal status, rights and privileges and that municipal services would be provided in both languages. This provision was immediately challenged in the courts. On October 16 Mr. Justice Elmer Smith of the Supreme Court of Ontario granted a petition to set aside the by-law. According to the judge, a municipality does not have the power under the Municipal Act to make such provision. Under that Act, municipalities are permitted to provide services in English and French, but they may not proclaim that the two languages have equal status, rights and privileges. Only Parliament and the provincial legislatures are competent authorities in this regard. The decision has nevertheless confirmed that the provision of bilingual services by municipalities is founded in law, particularly since Mr. Justice Smith also stated that the municipalities have the power to declare English and French official languages and to adopt hiring policies enabling them to operate in both. In short, municipalities appear to be permitted to make any provisions they wish except the formal proclamation of equal status, rights and privileges for both languages. An eleventh-hour amendment of the French Language Services Bill enabled those municipalities that so wish to subscribe to the provisions of the Act on a voluntary basis. We note in passing that more than 20 Ontario municipalities have subscribed to the principle of bilingual municipal services.

Bill 75

The implementation of Bill 75 on the governance of French-language instruction became effective on December 1. On the whole, the voting required under the Act went off without a hitch, even though the transition mechanisms proved to be contentious. The creation of a French-language school board in Ottawa-Carleton and the census of electors who can invoke the rights provided in Section 23 of the Charter (both planned for 1988) should help resolve the few remaining ambiguities. However, the Supreme Court of Canada is to review the constitutionality of Bill 30 on the funding of Catholic schools in January 1987.

The simultaneous implementation of Bill 75 on the governance of French-language schools and of Bill 30 on the financing of separate schools of course raises a great many problems and requires careful planning by provincial and school authorities. The success of this major reform will depend to a very large degree on the willingness of all Franco-Ontarians to develop arrangements to safeguard their future in ways that are consistent with their past.

Marchand case

The Supreme Court of Ontario has ruled in favour of the plaintiff in the Marchand case. In January 1984 Jacques Marchand filed suit against the Simcoe County School Board over the quality of educational services provided to 160 students at the French-language Le Caron secondary school in Penetanguishene. Mr. Marchand accused the school board of not providing facilities comparable to those at the English-language secondary school, thus depriving Francophone students of an education of equal quality. Mr. Justice Charles Sirois found that the provincial legislature was indeed responsible for the quality of education, whether provided in English or in French. The government of Ontario and the school board decided to appeal the decision on the grounds that Section 23 of the Charter had been too broadly interpreted.

This year's socio-cultural news included the establishment of the Fondation franco-ontarienne and a major colloquium held by the Institut franco-ontarien. The Fondation franco-ontarienne, which hopes to raise $2 million, was founded by the Association canadienne-française de l'Ontario to promote the development of Franco-Ontarians in the key fields of education, culture, sports and recreation. The theme of the Institute's colloquium, held in Sudbury on October 2 and 3, was "Minorités culturelles et institutions". Specialists in a number of disciplines examined and discussed the rights of Franco-Ontarians, the social and economic structures of Franco-Ontarian communities and prospects for the official language minority in Ontario society.

"Patience," said Vauvenargues, "is the art of hoping." For many years, Franco-Ontarians have hoped a great deal and shown considerable patience: today they are beginning to reap the benefits. Their struggle is not over, of course, but the constitutional entrenchment of French as an official language in Ontario, which the Commissioner publicly supports, appears to be only a matter of time. Franco-Ontarian organizations must carefully prepare for this final step.

Quebec

At times the temptation to compare the evolution of the language regimes of Ontario and Quebec is well-nigh irrestible. First, there is the fact that Canadian bilingualism in Parliament, legislation and the judiciary began under the regime of the United Province of Canada, between 1840 and 1867, a period during which the former Lower and Upper Canada became a single political entity. Moreover, the proximity, number and relative importance of the official language minorities in each province, population migrations and manpower mobility are all factors that seem to militate in favour of parallel or symmetrical regimes in Ontario and Quebec.

However, comparisons — if not always odious — are sometimes flawed. Quebec's distinctive character lies in the fact that it is the only province where Francophones form the majority and Anglophones the minority. Moreover, there can be little doubt that the French language is threatened even in Quebec and that it needs protecting. The debate therefore turns on how best to defend French in Quebec while still respecting the fundamental rights of the English minority.

In our view, the best defence of the French language will always be the quality, vitality and creativity of Quebec's French speaking society, population, economy and culture. And though defensive measures may be necessary in certain areas, it is even more important for Quebec to live up to its own potential. Anyone who thinks that Quebec is like any other province need only observe the importance the language issue has in daily life and the flood of language-related cases before the courts to form a different opinion. The question of the use of English and French in summonses, for example, has been the subject of major litigation. Although this matter is discussed in detail in Part I (*Language Rights*), let us restate its essential points.

In *MacDonald* v. *Ville de Montréal*, the English speaking plaintiff received a summons in French following a traffic violation. Like the Bilodeau case in Manitoba, this case raised the question whether Section 133 of the Constitution Act, 1867, which grants the right to use English and French before the courts, also imposes an obligation to respect the plaintiff's choice of language in the issuing of summonses. In the decision handed down in May, the Supreme Court found that all parties, including the judicial system and its officers, may use English or French as they wish. Not a few observers feel, however, that federal and provincial statutes should grant the average citizen the right to receive legal documents in their language and to be directly understood by the judge who hears their case.

Charter of the French Language

Section 58 of the Charter of the French Language (Bill 101) concerning the exclusive use of French in public signage and commercial advertising made the front pages of Quebec dailies on a number of occasions this year. While some criticized the government's lax enforcement of the Charter, others demanded that all language-related court actions be suspended. The haste of some merchants to make their signage bilingual, or even to return to unilingual English signage in violation of the Act, merely added fuel to the fire. Readers may remember that two conflicting Quebec Superior Court decisions, the first in 1982, the second in 1984, were appealed when the parties concerned felt that Section 58 was inconsistent with the guarantees of freedom of expression under the Quebec Charter of Human Rights and Freedoms.

In decisions published in December the Quebec Court of Appeal upheld the rulings of both lower court judges. In the first decision the Court supported (three to two) the 1982 decision of Mr. Justice Dugas and rejected the appeal filed in the Devine, Singer and Music Discus cases. In so doing, it recognized Quebec's legislative power to prohibit the use of a language other than French in signage and corporate names and to impose fines on offenders. According to the Court of Appeal, however, this decision is today merely academic in its scope. The reason is that, in the second decision, concerning La chaussure Brown's, Valerie Ford, McKenna, Tailleur Masson and Compagnie de fromage national, the Court

unanimously upheld the decision rendered by Mr. Justice Boudreau in 1984 granting the appeal and recognizing Quebec's power to pass legislation to require the use of French in signage and corporate names, but not to prohibit the use of all other languages.

The apparent contradiction may be explained by the fact that the Canadian Charter of Rights and Freedoms, which protects freedom of expression, and the Quebec Charter of Human Rights and Freedoms, whose sections prohibiting discrimination on the basis of language conflict with provisions of the Charter of the French Language, were adopted after the 1982 lower court decision in the first appeal, but before the 1984 decision in the second. The Court indicated not only that the prohibition of languages other than French is contrary to both Charters, but also that no legislation may take primacy over the Canadian Charter of Rights and Freedoms, as do Sections 58 (signage) and 69 (corporate names) of the Charter of the French Language, without exceeding such reasonable limits as can be demonstrably justified in a free and democratic society.

Long before the decision was rendered, the government of Quebec had let it be known that it intended to soften its position on signage and to review the structures of its language agencies. In June it appointed a task force to review the administrative structure of the five agencies established under the Charter. In its October report, the task force recommended that a single structure be created to enforce the Charter, its efforts to be mainly directed at the francization of private businesses. In November the government tabled Bill 140, to amend the mandates of the five agencies and to merge some of the agencies themselves, and Bill 142 which recognizes municipal and school organizations and health and social services serving mainly non-Francophones. The bills sparked a lively public debate which is still continuing.

Education

The overlapping of language and religious issues in education still hampers government efforts to reorganize the Quebec school system. An impressive number of cases are still before the courts, mainly concerning the autonomy of denominational school boards, which are protected under Section 93 of the Constitution Act, 1867. For the moment, it is extremely difficult to find a pattern in this maze of court proceedings that would enable the government to establish a consensus. The Conseil supérieur de l'éducation, for its part, recommends a constitutional amendment.

The Quebec Minister of Education resolved the issue of children illegally enrolled in English-language schools in Quebec. By means of a special act passed in June, he declared an amnesty. Accompanying the humanitarian pardon, however, were a number of severe penalties that will be imposed if the situation of illegal enrolments recurs.

English in the first elementary school cycle

In September the Minister of Education also indicated that he was prepared to permit English to be taught in Quebec's elementary schools beginning in grade one, but that requests from the school boards for such instruction would have to be studied individually as essentially innovative teaching projects. Although the Minister's statement addressed the concerns of a number of parents in the French and other-language communities, it also irritated and disconcerted others. In any case, the Conseil supérieur de l'Éducation approved the decision, pointing out that it is mainly a pedagogical issue. If the debate remained on that ground, the stakes would perhaps be more clearly understood.

Alliance Quebec

Alliance Quebec celebrated its fifth anniversary this year. In defending the interests of the community it represents, the organization has naturally come under fire from various quarters. However, its success may be gauged not only by its effectiveness, but also by its respect for differences, both in the various communities it encompasses and in Quebec society as a whole. The causes which Alliance Quebec defends are many: provincial government services in English for English-speaking Quebecers and their right to signage in their own language; equitable participation of Anglophones in the federal and provincial public services; maintenance of English-language schools; job creation for young Anglophones and economic development of the province's English-language communities, cultural and social development for English-speaking Quebecers; recognition of the rights of Francophone communities outside Quebec; and revitalization of the federal language regime. That is quite a list of objectives, to be vigorously pursued by Alliance leaders.

Health and social services are of particular concern for Alliance Quebec and other English-language associations and communities throughout Quebec. A number of organizations submitted briefs to the Rochon Commission stressing the vulnerability of minority groups in the outlying regions. In December the National Assembly passed Bill 142 recognizing the right to health and social services in English. This is an extremely important piece of legislation since it is probably the first in Quebec's history to grant those who speak English the formal right to health and social services in their preferred language. In response to criticism from various quarters, the bill was amended at the eleventh hour to clarify the means of identifying institutions required to provide such services.

The various regional associations such as the Townshippers, the Châteauguay Valley English Speaking Peoples' Association and the Committee for Anglophone Social Action also defended many other causes in the fields of culture, manpower, the economy and municipal services.

The Atlantic Provinces

The survival and development of the Acadian people is without doubt one of the finest chapters in the history of the French language in North America. Francophones in the Atlantic provinces are rightly proud of their roots and their determination. In November representatives of the Société nationale des Acadiens

travelled to Ottawa. There they met with the Prime Minister and outlined, with firmness and conviction, their vision of Canada and of the place they should occupy in it as well as their views on the Official Languages Act. The Acadian spokespeople hope that the federal government will strongly reaffirm Canada's bilingual character. In their view, the updating of the Act will afford an ideal opportunity to introduce an overall development plan for the communities they represent. During his visits to the three Maritime provinces last October, the Commissioner observed that, with some understandable reservations, the provincial governments were now more disposed to promoting the development of Acadian communities. Progress is slow in coming, however; many people are ready to act but are apparently waiting for a clear signal and effective assistance from the federal government.

On May 1, in *Société des Acadiens du Nouveau-Brunswick et al.* v. *Association of Parents for Fairness in Education*, the Supreme Court of Canada found that the right to use English and French before the courts of **New Brunswick** does not include the right to be understood directly in either language. The Court avoided complete dumb shows by recognizing an obligation for judges to understand proceedings before them either through interpretation or some other means. However, judges are to evaluate their own second-language skills.

Under Section 86(2) of the Regulations to the New Brunswick Official Languages Act enacted in January, a party to a proceeding may now request the services of an interpreter to give his or her lawyer the freedom to plead in his or her own language. In other legal news, the Insurance Act was amended to require insurers to retain the services of lawyers who are able to use the language of the party insured. In November, however, the province appointed a unilingual Anglophone to be director of the legal aid office in Restigouche, a predominantly Francophone county. One step forward, one step back.

Advisory Committee on Official Languages

The report of the Advisory Committee on Official Languages, commonly called the Guérette-Smith Report, was tabled in the provincial legislature in June. In its report, the Committee, which was established to test opinion on reforming New Brunswick's language regime, recommended that the Official Languages Act of New Brunswick be amended and measures adopted to give effect to the rights of New Brunswickers to obtain services of equal quality in the official language of their choice. The authors also recommended that steps be taken to promote balanced participation of both linguistic communities in the provincial public service and to create French-language work units. Other suggestions included setting up regional language regimes.

While the provincial government committed itself to doing more to ensure language equality in the province, it nevertheless rejected most of the recommendations, particularly the more specific ones. Apparently, it considered the proposed reform to be fraught with problems. Since the recommendations largely reflect the point of view of most Francophones in the province, we suspect the debate is far from

over. In any case, we find it hard not to be increasingly impatient at what appears to be the province's excessive prudence in acting on its own principles. Having embraced the tenets of linguistic equality, New Brunswick unfortunately appears to be marking time instead of moving forward.

However, a consensus is apparently emerging on health services. A study published in April 1986 by Jean Bernard Robichaud entitled *Objectif 2000 : vivre en santé en français au Nouveau-Brunswick* reveals major weaknesses and inequalities in the health care services provided to Francophones in the northern regions of the province. The government is fully aware of the pressing need for such services and we hope that solutions will soon be implemented. Such changes should be made regardless of whatever amendments may be proposed to the Official Languages Act of New Brunswick.

The province this year created a new English-language school board (No. 54) to serve some 220 students in the mainly French-speaking region of Edmundston. The move eliminated the previous bilingual school board and, in the eyes of many, underscored "the benefits of separate English- and French-language schools".[1] Approximately 100 Francophone teachers and administrators from the Maritimes attended a major colloquium on Acadian schools in October. Participants reviewed practical steps that should be taken to ensure that the education rights guaranteed in the Charter are respected. Also discussed were the problems involved in developing curricula and teaching materials.

A new daily, *Le Matin*, saw the light of day in Moncton in August. Like Caraquet's *L'Acadie Nouvelle*, the new paper will provide timely information about the life of Francophones in the province.

The Fédération acadienne de la Nouvelle-Écosse this year actively promoted better federal and provincial French-language services in **Nova Scotia** by conducting a study. Its findings document the Fédération's claims about long-standing weaknesses in this area. The study recommends that the federal government designate Clare, Argyle, Sydney, Richmond, Inverness (Chéticamp, St-Joseph-du-Moine, Magré), Halifax-Dartmouth and Pomquet as bilingual regions.

The provincial government is not insensitive to the needs of the Acadian community. This year it allowed bilingual signage to be installed along provincial highways to identify federal lands and facilities (national parks and historic sites), and created the position of Director, French Education, in its Department of Education. Lastly, it considered agreeing in principle to the construction of a multi-purpose school and community centre for the Francophones of Halifax, a project that appears to be slowly making headway.

On the other hand, the Comité pour l'éducation française de Sydney and the local school board were unable to resolve their differences. The Francophone parents of Sydney sought to have French-language classes provided for their

[1] Jean L. Pedneault, editorialist, *Le Madawaska*, October 8, 1986.

children pursuant to Section 23 of the Charter, but the school board refused for reasons of numbers and costs. The parents have decided to take their case to court. This is a sorry situation that may drag on and leave no real winner.

The Société Saint-Thomas-d'Aquin (SSTA) continues to seek greater recognition for the cultural and linguistic identity of Francophones in **Prince Edward Island**, particularly as regards access to French-language instruction and the development of a school and community centre in Charlottetown. In January the provincial government responded to a campaign mounted by the Comité de parents pour une classe française in Summerside and asked the Supreme Court of Prince Edward Island to determine whether the provincial school act and regulations are compatible with with Section 23 of the Charter. The Commissioner was granted leave to intervene in the case and will argue in favour of a school system that will give the Francophones of Prince Edward Island a much greater say in French-language education in the province.

In a brief presented in October to the Minister of Education, Betty G. Brown, the SSTA challenged a number of decisions of an advisory committee set up to examine the implications of the Paquette Report on educational reform. The committee had rejected the recommendation that a separate French-language instruction division be established within the Department of Education. The SSTA submitted eight recommendations designed to secure compliance with the minority language education provisions of the Charter.

The Ringuette and Albert case in **Newfoundland** is reminiscent of cases before the courts in western Canada. In February 1986 two Francophones facing various criminal charges were refused a provincial court trial in French as provided under Part XIV(1) of the Criminal Code of Canada. Since that section is not in force in Newfoundland, the defence invoked subsection 15(1) of the Canadian Charter of Rights and Freedoms concerning equality before and under the law to establish the defendants' right to a trial in French. On April 10 the Supreme Court of Newfoundland upheld the lower court decision. The new decision has also been appealed. In the meantime, the Fédération des francophones de Terre-Neuve et du Labrador began discussions with representatives of the provincial Department of Justice on what arrangements might be made to hold a trial in French pursuant to the Criminal Code.

The Department of Education is continuing its efforts to establish a French-language school system on the Port-au-Port Peninsula. Major achievements in 1986 included the creation of French-language nursery schools at Grand'Terre, Cap Saint-Georges and Anse-aux-Canards. However, efforts by the province's Francophones to have a school and community centre built in Grand'Terre have not yet been successful.

In 1987 the objective of the Fédération des francophones de Terre-Neuve et du Labrador is to evaluate federal services provided in French. As a result of the Fédération's actions, the Labrador City arts and culture centre has agreed to present

40 per cent of its productions in French. The Fédération has tightened it ties with the Acadian communities and was admitted to the Société nationale des Acadiens. It also adopted a distinctive flag.

* * *

A number of readers will no doubt be left with the impression that in many minority communities the theory of language reform has not been translated into fact. Inequalities persist and sometimes grow. The situation of a large number of these communities is obviously shaky and we seem to lack the means to set things right. In short, the equality proclaimed in the Canadian Charter of Rights and Freedoms and the Official Languages Act rather resembles the type of equality that entitles both rich and poor to line up at soup kitchens. Nevertheless, there is hope. At times more sensitive to the issue than their leaders, an increasing number of Canadians realize the urgent need to give concrete form to the linguistic equality so nobly proclaimed in the Charter. A national survey conducted this year[1] corroborates the results of a poll by Canadian Facts we commissioned in 1985. According to the new survey, Canadians are more in favour of the federal official languages policy now than they were 15 years ago. They felt that Canada's two official languages enrich its cultural heritage and hoped that their children would learn both languages in school. They also indicated their belief that the provinces, too, have a role to play in linguistic reform by providing their services in English and French. Lastly, respondents thought that businesses capable of providing their services in the both languages have a definite competitive edge. In response to this new spirit, the federal government is at last preparing to amend the Official Languages Act to define its commitment to our official language minority communities more sharply and clearly to acknowledge their place in Canadian society. However, Government will merely be promoting a dangerous illusion if its decisions do not include programs to provide those communities with the support they need to survive and grow.

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[1] *Étude sur les comportements des Canadiens et des Canadiennes à l'égard du bilinguisme* (March 1986) conducted by Decima Research Limited for the Department of the Secretary of State.

Radio and Television: The Right Wavelength

The role that radio and television play in our daily lives makes them two of the most powerful means for Canadians to express and share their cultural values. Francophones in Quebec and Anglophones in the other provinces generally have ready access, in their own language, to programs that reflect their culture and concerns to varying degrees. But what of the official language minorities?

Scattered across Canada, our minority communities, perhaps more than any others, have a pressing need to express their linguistic and cultural identity and to strengthen ties with fellow citizens who speak their language. For a number of years those communities have been critical of overcentralization in the Canadian broadcasting system, saying that the programming available to them in their language falls well short of their needs.

For reasons of profitability, private broadcasters and distributors have shown little interest in small and isolated Francophone minority communities. Such groups must rely almost exclusively on public broadcasters, particularly the Canadian Broadcasting Corporation, whose regional services have received their share of criticism.

CBC weaknesses

Although very well served in Montreal, the English-speaking minority in Quebec is less favoured in outlying regions such as the Eastern Townships and the Gaspé, where local programming is scarce. The Quebec Farmer's Association stated that the English-speaking community's need for a sensitive and viable "regional English-language CBC service is as strong or stronger in 1985 than 20 or 40 years ago."

French speakers outside Quebec are even worse off in this respect. Do Francophones in Alberta or British Columbia share the full benefits of the CBC's French-language network when news programs cover Quebec affairs almost exclusively and most network programs reflect virtually nothing but the tastes and interests of Quebecers? In Ontario, Radio-Canada produces only two and a half hours of French programming a week for the province as a whole: can this be said to really give Franco-Ontarians a sense of community? And

"Ontario 30", one of the few radio programs produced for Franco-Ontarians, is broadcast at a time that is not convenient for most of its potential audience.

It is easy to understand why minority communities are frustrated by this situation. Moreover, Francophones outside Quebec have little use for French-language programs that reflect neither their experience nor their social or cultural values. Instead, they are drawn to programming in English because it better reflects their daily concerns. In other words, they want more than simply broadcasting services in their language; they want programs of high quality that truly reflect their identity.

While the minorities are asking for more investment in regional CBC stations, those stations were not spared the budget cuts imposed on the Corporation in 1986. The Accelerated Coverage Plan, which was designed to provide services to all official language communities of 500 inhabitants or more in a 15-kilometre radius, has suffered a marked "deceleration": its implementation has effectively been halted since 1984. The French-speaking community of the Northwest Territories, 38 per cent of Francophones in British Columbia and a number of Anglophone communities in eastern Quebec are still without CBC service in their language.

Nor does the future look any brighter. Most Francophones outside Quebec will probably be unable to see the 1988 Calgary Winter Olympic Games in the language of Pierre de Coubertin, the founder of the modern Olympics, because the private French-language network, TVA, has acquired broadcasting rights for the event. TVA reaches only a small proportion of viewers outside Quebec and then only if they subscribe to cable television. It is, to say the least, difficult to understand why Franco-Albertans should not enjoy television access in French to a major event taking place in their own province. We can only hope that our public network will be able to find a satisfactory solution for all concerned.

Public initiatives

Some minority groups have nevertheless found cause for celebration in a number of recent initiatives. This year two events in particular brought good news for Francophone minorities. First, TVOntario announced the creation of *la chaîne française* which, starting January 1, 1987, will broadcast 70 hours of educational programming in French each week. Needless to say, all Franco-Ontarians welcomed this initiative with enthusiasm. We commend TVOntario management and the organizations that helped finance the project — the Ontario Department of Citizenship and Culture and the federal departments of the Secretary of State and Communications — for their contribution to making the new channel a reality. The second praiseworthy initiative was Radio-Canada Atlantique's production of its program "Bonjour Atlantique" in versions adapted to regional realities.

Caplan-Sauvageau Report

One of the most eagerly awaited events in 1986 was the publication of the *Report of the Task Force on Broadcasting Policy*, the Caplan-Sauvageau Report. The minority associations, which have long sought a new policy — indeed new legislation — in this area, submitted a barrage of briefs and recommendations.

One of the Task Force's principal recommendations was the creation of a second national network, which would comprise an English channel (TV Canada) and a French channel (Télé-Canada). The idea, which we find very promising, received almost universal support when the Report was published. The Task Force also recommended that the distinctive character of Quebec's French-language broadcasting be recognized. In our view, such recognition is essential to the development of French-language broadcasting in Canada, which faces problems different from those experienced by English-language broadcasters and therefore requires tailor-made solutions. According to the Report's authors, Montreal should be made the administrative headquarters of the French-language network and the centre for French-language production, a move that would have a carry-over affect on other regions. However, minority groups were rather cool to the recommendation that local production be concentrated in eastern Canada, in Quebec City, Moncton and Ottawa.

At a CRTC public hearing on renewal of the CBC's licence, many of the member associations of the Fédération des Francophones hors Québec, in their brief, "Let's do it differently", expressed their dissatisfaction with the amount of attention their interests received from Canada's broadcasting system: "Should a specifically Québécois character in broadcasting be built up at the detriment of the French fact outside Quebec? Is it not this character on which a definition of the distinct nature of Radio Canada's services is based?"

Accordingly, they recommended "that regional stations located in the West be assured greater autonomy, and that this network of stations be provided with sufficient financial means to enable the stations to increase their resources, improve the quality of their programs and develop programming that better meets the needs of western Francophones."

We share this view. Not only should regional stations in the West be able to produce programs that meet the actual needs of the public they serve, they should also produce national network programming that would enable minority communities to take part in the national experience in their own language. The CBC should compensate for a lack of resources with an abundance of imagination and seek innovative ways of achieving this objective, for example through the use of mobile production teams for certain programs.

New technologies

In addition to operating a public broadcasting network, the federal government finances telecommunications research. It should ensure that new technologies are used to provide official language minorities with a greater selection of programs in their language. Even though, for the moment, any possible expansion in clientele is blocked by specific financial barriers in its area of origin, the desired goal should be an agreement to broadcast the signals of Radio-Québec and TVOntario's *la chaîne française* by satellite across Canada.

Another welcome initiative is the plan to broadcast the programming of a Canada-Europe consortium, TV5, in eastern Canada by means of the Anik C satellite. Shortly after September 1987, around the time of the Francophone Summit in Quebec City, Francophones in eastern Canada should be able to receive programs from Belgium, Francophone Switzerland and France as well as those from Canada. The new channel, which will supplement local programming, will make a major cultural contribution to strengthening the cultural bonds between Francophones in Canada and abroad. We also recommend that the authorities study the possibility of using the Anik D satellite to make TV5 available across Canada.

Community broadcasting

Community radio and television stations are an excellent means of expression and communication for minority communities and groups. Even with modest budgets, they can make an important contribution to a community's cohesion and vitality. For that reason, the Caplan-Sauvageau Task Force recommended that "the Canadian broadcasting system should be recognized as comprising not-for-profit community elements as well as the 'public and private elements' already acknowledged in the 1968 Broadcasting Act." We fully support this recommendation and encourage the CRTC to take greater account of the linguistic and cultural vulnerability of official language minorities when granting licences to stations of this kind. At present, the CRTC requires financing guarantees, a situation that very often prevents community radio stations from setting up operations. Such is the case in Hearst, where one project is being held up by the stiffness of the CRTC's requirements. In our opinion the Commission should go beyond its regulatory role from time to time and encourage such initiatives when the objectives are fully consistent with those of the national policy.

A new broadcasting act

Major changes in broadcasting over the past decade will likely force the federal government to update the Broadcasting Act in the near future. The Caplan-Sauvageau Report contains a number of recommendations to this effect. We believe that a new Act should clearly confirm the place of official language minorities in the Canadian broadcasting system. Accordingly, the Act should:

- recognize the distinctive nature of the CBC's English- and French-language networks;
- reaffirm the right of all Canadians, particularly that of official language minority communities, to receive CBC services not only in their language but also reflective of their culture;
- provide greater support for the development of community radio and television stations so that they may serve as a forum for official language minorities;
- assert the idea that decentralization and regionalization are essential to the development of Canadian broadcasting.

A new broadcasting act that takes these points into account would be consistent with the spirit of the Official Languages Act and the Canadian Constitution and would create a radio and television broadcasting environment favourable to the development of Canada's official language minorities.

PART V

Education: More Planning Please

Second Language Instruction: Regional Roundup

Among the year's developments in second language instruction, French immersion again seized centre stage. But while the extraordinary expansion and popularity of this program is important, it is the repercussions for other aspects of our language education system which are beginning to capture attention. Immersion as a teaching method is not seriously in question, although we may be less starry-eyed than before about its achievements. As a way to teach and learn a second language, immersion gets results. But, through no fault of its own, immersion has a tendency to disrupt more established or traditional educational formats.

For all the research — and immersion must be one of the most researched educational ventures of the last 20 years — many questions are still relatively unanswered, or even unasked. Parents, educators, trustees and politicians, indeed anyone with a child enrolled in a French immersion program, will be aware of some of the issues: the best age to start learning French by immersion, possible effects on competence in the mother tongue, not to mention the questions of what are the best post-secondary second language options and how best to use the acquired knowledge later in life.

It is only in recent years that attention has turned to more fundamental issues of educational structure: how does immersion measure up against well taught core French programs, not just in terms of pedagogical efficiency, but as an affordable option within the total educational process. Should immersion programs be allowed to grow without limit? What sort of policy guidelines might be considered reasonable, given the number of children already enrolled and the expectations of parents in and out of the immersion system? If adequate policy guidance is not forthcoming, what sort of second language competence can students in regular core programs realistically hope to achieve? These and other questions of educational policy and planning can no longer be ignored. What is more, the federal government, as an important and interested cosponsor of improved second official language teaching in this country, is implicated in the search for solutions.

First, some facts. Immersion accounts for only 4 per cent of the English-speaking students enrolled in our schools. That nevertheless represents roughly 200,000

children in elementary and secondary immersion classes. For most other students, a core program (simple or extended) remains the only available method for learning French. Fortunately, we are reaching a stage of educational wisdom at which it is possible to realize what language educators in other countries have long known: namely, that core French is not by any means a mere backroad to functional bilingualism. Many of Canada's most successful bilingual personalities undoubtedly had no better than core second language opportunities in school. The differences between the more and the less successful core programs lie more in the teacher's fluency and skills, in the real or artificial opportunities provided for using the language and, of course, in a sense of purpose: a reason for learning.

What is most salutary in this new interest in core French is that it provides us with many alternatives to the Sorcerer's Apprentice solution of endlessly escalating immersion. Given the egalitarian absurdity of providing immersion for all (and traumatizing the entire English Canadian education system in the process), we can now turn our minds more calmly to the practical economic task of providing as many children as possible with the sort of second language literacy that will stand them and their country in good stead.

Admittedly, this change of focus and direction is, for the moment, hardly more than a promising hypothesis. But, insofar as it shows the danger of trying to put all our eggs in one basket, we must rejoice that such pioneering bodies in this field as Canadian Parents for French are giving their support to what is known as the National Core French Study, a three-year project being conducted by the Canadian Association of Second Language Teachers and funded by the Secretary of State's Department, with the support of the provincial ministries of education and school boards.

Some of the consequences of not getting to the root of the Immersion vs. Core Debate, and co-operating on a suitable national strategy to resolve it, are illustrated in the following pages.

Meanwhile, Quebec's French schools are debating a different question. There is no such thing as an "English immersion program", a fact which surprises many people. But, even for the Francophones of Quebec, there is a fear that their natural immersion in English North American culture is already enough of a threat to the future of French in Canada. The move by the Quebec government to introduce core English to French students in grade one instead of grade four has, as we shall see, attracted both ardent defenders and vehement opponents.

Because of the nature of second language education in Canada and the contribution it must make to an effectively bilingual country, we must strongly urge the federal and provincial authorities to take advantage of the coming renegotiation of their official languages in education agreements to (a) thoroughly review the balance of funding to the different aspects of this program and (b) undertake together the urgently needed research and planning tasks that alone can make the difference between an undignified and fruitless free-for-all and an orderly progress toward official languages equality.

Regional Roundup

Newfoundland

A working group established in 1984 to review policy for the Core French Program submitted its report in April 1986 to Newfoundland's Policy Advisory Committee on French Programs. The group's report, which sets out a comprehensive policy for improving the province's core French programs, has taken into account such matters as recent research, French education policy in other jurisdictions, and of course the province's own policies. The report is under consideration by the Minister of Education.

Around the province, French immersion continues to expand. However, many school boards are watching its growth with a wary eye on the future. The Avalon Consolidated School Board, for instance, decided to continue immersion classes, at least for this year, in one of its primary schools, although there are only 12 immersion pupils registered in grade one. Whether such small classes are viable or not raises the question of long-range planning. A report on French immersion in the Avalon District has raised other questions as well: how to ensure an adequate supply of qualified teachers; the pros and cons of the dual-track school system; appropriate library facilities for both small and large communities; and encouraging post-immersion programs for graduates of high school and junior school immersion.

In the meantime, the Department of Education is implementing a new procedure to assess the French proficiency of students graduating from the final year of the core French program. At present they are evaluated by a combination of school assessment and external examination, but, beginning in June 1987, they will also be interviewed briefly by a core French teacher. The object is to emphasize the importance of oral proficiency. The sessions that have been conducted experimentally have been very successful, and teachers and students have shown a good degree of willingness to participate.

Last year we reported on the Memorial University study of grades one, two and three French immersion students. Some preliminary results were presented at the November Conference of the Association canadienne des professeurs d'immersion by Drs. Netton and Spain under the title: "Teacher-Student Interaction Patterns: Low vs. High Achievers in Immersion." The study should be completed in 1987.

Prince Edward Island

The earlier part of the year saw another rush in Prince Edward Island to register children in immersion classes. In the Charlottetown School Unit almost 200 parents waited all night to enrol their children in grade one immersion. In the Montague School District, parents were able to register their children by telephone, and in a mere half-hour 48 students had been registered for the one 25-student French immersion class offered. With the increasing demand for these classes, school boards are having to re-examine their immersion policies. Moreover, as greater

numbers of early immersion students begin to work their way through the system, more immersion programs must be planned for the higher grades. There has also been a push this year to develop additional late immersion classes. The overall result is that, while the province's total school enrolments dropped again this year, the enrolment in French immersion classes was up by about 24 per cent.

Paquette Report

The *Report of the Advisory Committee on the Paquette Commission Report* was released in October by the Minister of Education. It is the government's formal answer to a review commission on educational reform. It contained 42 recommendations, among which were calls for a long-range statement of the province's educational goals, a five-year plan for the implementation of high-priority programs and a mechanism for the revision of ministerial policies. The Report also recommended that the Evangeline French language school district should be given funding to hire five extra teachers, and that students who are not in immersion programs should have access to high-quality core French programs.

Nova Scotia

It was a quiet year on the whole, notwithstanding the closing of a number of schools because of dropping enrolments. The Cape Breton District School Board, for example, decided to close 12 schools this fall as an austerity move. With fewer students, the per capita grant provided to school boards by the Department of Education was correspondingly smaller, forcing boards to amalgamate both schools and classes. Programs in French immersion, on the other hand, went on expanding. The Sydney District School Board is now introducing almost 60 new students to the Late Immersion program in grade seven; and in the Halifax-Bedford Board, the Late Immersion program will include four more grade seven classes this year, bringing the total to 12.

While immersion undoubtedly has strong parental support in Nova Scotia, the province still lags behind all others in implementing programs. The Department of Education is ready to help out, but it is up to the boards to put programs in place. Nevertheless, in the words of one Department of Education official, while Nova Scotia "didn't start as early as some of the others did, we're going full blast now."

New Brunswick

Last year we spoke of two reports on second language instruction, one by the New Brunswick Office of Government Reform, and the other by Dr. H.H. Stern of the Ontario Institute for Studies in Education (OISE). Both suggested an overhaul of the province's French second language programs. Following the recommendations of the Office of Government Reform, the Department of Education announced its plans for a comprehensive review of all second language programs, including early, middle and late immersion programs, core and extended core programs, and English as a second language in French schools. A report is due sometime in 1987, but implementation of its recommendations is not expected for another two years.

The Report of the Advisory Committee on Official Languages also underlined the need for such a study, stressing again that the Department of Education must establish a minimum standard of functional bilingualism, and urging it to enlist school board support in providing second language programs to all students. Further, the Report emphasized the importance of examining the cost effectiveness of existing programs and of considering the effect on a student's mother tongue before initiating further measures of reform.

Stern Report

In approaching the issue of education reform, the government and the school boards have taken into account the recommendations made two years ago in Professor Stern's report, "French as a Second Language in New Brunswick: A Report on the Current Position and a Discussion on the Way Ahead." This was a study of French teaching in the province, done at the government's request, to determine where it should go in its FSL programs. The Report tries to suggest ways by which core and immersion programs can be better combined to get as much benefit as possible for students. In approaching "the immersion-core dilemma", the report proposes one scheme in which enriched core French would be offered in grades one, two and three, followed by total immersion in grades four, five and six, partial immersion in grades seven, eight and nine, and a French Language Arts course, plus one or more optional subjects in French, in grades ten, eleven and twelve. This scheme is only one attempt "to describe an approach that *might* be used if the province wanted to standardize second language programs in all school districts."

The scheme described presupposes, for example, that all parents and teachers accept the idea of a compulsory enrolment in immersion — a dangerous enough supposition in itself! Some school boards have interpreted this hypothetical proposal as an endorsement of middle immersion at the expense of early immersion, although such an interpretation, Dr. Stern says, thoroughly misunderstands and misrepresents his report. Nevertheless, the Salisbury District School Board (No. 16) decided to institute a modified version of this scheme on a pilot basis and to phase out its early immersion programs. It would, however, leave the student the option of remaining with the core program after grade four. District 26 (Fredericton) has also decided to drop early immersion and begin middle immersion in grade four in 1989. These decisions have prompted protest both from members of the New Brunswick Parents for Early Immersion and from the provincial chapter of Canadian Parents for French. They argue that, in the case of District 16, although the board did seek the opinions of teachers and parents, it did not sufficiently consider the arguments put forward by opponents of the plan.

If anything is clear, it is that the issue is confusing. At a conference on immersion held at the University of New Brunswick in October, Dr. Stern emphasized that "there is simply no conclusive data for what is the best starting age for immersion". Dr. Merrill Swain of OISE, on the other hand, was of the opinion that research does show early French immersion programs to be "clearly superior"

to late immersion, and that "early immersion is highly preferable and should be promoted by provinces like New Brunswick." When expert opinion is so divergent, it is difficult to see how administrative decisions can be made without creating conflict. It is vital to remain open-minded during this difficult debate but, above all, it is essential to sort out and synthesize the relevant planning information so that less time and emotion is wasted working with ambiguous or incomplete data.

In the rest of New Brunswick, although the overall student population dropped this year, enrolments in core French and immersion rose. Immersion enrolments now exceed 14,000, up almost 14 per cent. This continuing demand has forced some school districts to develop novel registration procedures. The demand for immersion so far exceeds the availability of facilities in Rothesay District, for example, that four schools had to use lotteries to decide among applicants. While the Department of Education puts the onus on the boards to develop their own policies on second language education, the fact is that there are not always enough funds to implement them effectively.

Quebec

Earlier teaching of English

Many issues were raised this year regarding second language instruction in Quebec. One concerns the government's plan to permit the teaching of English in French schools to start in grade one rather than in grade four. (In French schools, elementary students from grades four to six, as well as all secondary students, must take English as a second language.) While the provincial curriculum prohibits English instruction in French schools before grade four, such school boards as the Protestant School Board of Greater Montreal (PSBGM) and the Châteauguay Catholic School Board have been skirting the rules by introducing English as early as kindergarten in their French sections. According to the President of the Conseil supérieur de l'éducation, an independent advisory body that has recommended the earlier introduction of English, some 25,000 children in grades one, two and three are receiving English instruction in French schools. The co-ordinator of the English as a Second Language program for the French sector of the Baldwin-Cartier School Commission noted that, on the French side, the time allotted to English language instruction from grade four to secondary V was about 700 hours, while on the English side the student could elect to take up to 5,000 hours of French. In 1983 this same school board expanded its English language program and set up a Programme enrichi d'anglais (Enriched English Program) and increased the English content of its curriculum to one-third of the total. The program's success has encouraged other schools to use it as a model.

Not all school boards are enthusiastic about the government's plan to allow English in grade one. The PSBGM paradoxically sees the move to "legalize" the teaching it is already doing as a threat to its steadily growing French sector enrolment. This French sector (19 of the board's 66 schools) has expanded almost seven-fold in the last 12 years, largely because of its English classes. The Châteauguay School Commission, on the other hand, regards the government's plan as "a good

decision'' since it may help to reduce the number of students who migrate from the Catholic schools to the PSBGM for early English second language instruction.

The provincial Fédération des directeurs d'écoles, together with Quebec's largest teachers' federation, the Centrale de l'enseignement du Québec, have opposed the hastiness of the government's proposal, saying that any change to the curriculum should be preceded by an analysis of the effect such a change would have on the role of the teacher. The Minister of Education has delayed any decision for the moment, making it unlikely the plan will be in effect by the next school year. Meanwhile, an official warning has been issued to those schools which are ''illegally'' teaching English as a second language in the early grades.

Around the province the year has seen an expansion in French second language programs. The Châteauguay Valley Protestant School Board announced its plan to start late immersion classes in its high schools. Eligible to register are those who have already been a part of the earlier immersion programs, core French students who want to switch to late immersion, and those who have gone to a French elementary school and now want to change to an English high school. The Regional School Board of Gaspesia has approved the start of a new ''Six-plus program'' for the school in New Carlisle. Eighteen grade six graduates will spend a year in a French language program before entering high school.

At an Estates General conference on the quality of education held in Montreal in early April, participants voted to ask the Quebec government officially to recognize and support French immersion programs. A government task force has already been set up to study the issue.

Bill 101

Last year we reported on the effect of the education sections of the Charter of the French Language (Bill 101) on the student makeup of the province's French schools. Late in 1986 Quebec's Protestant school boards announced that they would take the government to court to clarify exactly who is eligible for an English education in Quebec. Those filing the suit do not believe that Bill 101 takes precedence over Section 23 of the Canadian Charter of Rights and Freedoms, which guarantees an English education to the children of citizens educated in English in Canada. The boards further argue that a child of Canadian parents who has studied in English for six months to a year ought to satisfy the requirement, whereas Bill 101 requires four years of such instruction. As the number of students attending Montreal English-language schools has dropped by more than half since 1970, the Board hopes that winning this case would bolster enrolment figures and stem the rate of English school closures.

Ontario

French language programs are thriving in Ontario. All around the province the demand for more and better core and immersion classes continues to grow. The provincial government is responding by expanding the core French program in elementary schools. Beginning in the 1987-88 school year, all students entering grade four will be required to complete 600 hours of French instruction by the

end of grade eight. For most boards this will mean an average increase in teaching time of about 16 per cent. The overall Ontario Academic Credit requirement of 1,080 accumulated hours of French, however, has not been increased. Of Ontario's 142 public and separate boards of education, 70 now offer immersion or extended core programs — eight more than last year. At the elementary level over 7 per cent of Ontario's English-speaking students are enrolled in immersion classes, and the program is growing by about 6 per cent a year.

Bill 75

The Education Act was amended in July through the provisions of Bill 75, which gives both Francophone and Anglophone minorities in the province more control over their schools. The passage of the Bill follows a 1984 Court of Appeal decision that the Education Act did not "ensure that minority language educational facilities could objectively be considered as those of the minority", and so did not meet the requirements of the Charter of Rights and Freedoms. The amendments came into force on October 1, 1986. The changes allow French or English minorities within school boards that offer English and French instruction to govern their own "section" of the educational system. As the traditional means of structuring the administration of school boards in Ontario is through trusteeships, the Act requires the election of trustees from the minority group in those school boards that have minority language "instructional units". As trustees, they sit on French Language Education Councils (FLEC) where Francophones are in the minority, or on English Language Education Councils (ELEC) where Anglophones are in the minority.

As a committee, the FLECs (or the ELECs) will plan, implement and administer their own programs and hire their own teachers and administrative and supervisory personnel. They will also receive their share of general legislative grants. The Act provides for the election of a minimum of three members on a committee, regardless of the size of the minority community. Fifty-six of the province's 166 school boards now have Francophone representation under FLECs (26 Public School Boards and 30 Separate School Boards) and 11 have Anglophone representation under ELECs (two Public School Boards and nine Separate School Boards). In districts where there are no French or English first language programs, the Act creates, instead, French or English Language Advisory Committees (FLAC or ELAC) to advise on minority educational needs, which neighbouring boards will provide for.

Bill 75 brings the Education Act closer both in spirit and in fact to the Charter. Under its provisions, Francophones in Ontario are now guaranteed school board representation in overseeing their children's schooling. As far as can be seen, Bill 75 does not affect the teaching of French as a second language.

There is one situation, however, that warrants some attention. Section 23(2) of the Charter allows parents whose child has received elementary or secondary instruction in French to have *all* their children educated in French. Consequently, a member of the Anglophone majority who has had at least one

child enrolled in a French school may not only have the right to continue sending children to a French school, but is also eligible to be elected a member of a French Language Education Committee or Advisory Council and thus influence French first language programs for the minority community. In Simcoe County, for example, as there are no immersion classes, some Anglophone parents have been sending their children to the local French elementary schools. In so doing, they become eligible for election to the FLEC. While it is difficult to deny that such a parent would have such a right in law, the exercise of this right hardly seems to satisfy the spirit of the reform. (The same conundrum would, of course, apply to Francophones being elected to ELECs.) While such a mix of Anglophones in Francophone schools may be useful for the Anglophone child, it is at least debatable whether such an environment is in the best interests of a Francophone child.

Manitoba

Busing of pupils

Our last two Annual Reports have commented on the controversial busing of French immersion pupils to distant schools. The issue is still not resolved. Parents in Thompson were forced to take court action against the Mystery Lake School Division on the grounds that the board was discriminating against French immersion students by refusing to pay busing costs. The Court of Queen's Bench decision in favour of the parents was overturned by the Court of Appeal in August. It ruled that language rights and transportation are separate issues, and that the right to receive instruction in either English or French does not include the right to free transportation. The Appeal Court agreed that school authorities have a duty under the Public School Act both to provide schools and to see that these schools are reasonably accessible to the pupils who attend them. However, what constitutes reasonable accessibility, the Court ruled, is at the discretion of each board.

While many boards do have equitable transportation policies for their immersion students, they generally apply only up to grade two. There is therefore a growing concern among Manitoba parents, particularly in Winnipeg, that they may be forced to remove their children from immersion programs when they reach grade three. Nor is the problem necessarily restricted to majority language parents and their children. As we have said earlier in this Report, some Francophone parents in isolated communities must make do with sending their children to French immersion classes for an education in French. We wonder whether the same separation of language rights and transportation can be judged to apply in their case. It is our hope that the Ministry of Education will not fall back upon the courts to settle this issue, but will act on behalf of the school boards, the parents and the children by re-examining its policies in light of the changing patterns of second language education in the province.

On a more encouraging note, immersion enrolment in Manitoba continues to rise; more than 12,500 students are now registered in 67 schools. Ten years ago there were only 14 schools for the 1,290 French immersion pupils. Encouraging, too,

are Manitoba's efforts to meet the concomitant demand for qualified teachers. Of 100 new jobs in French immersion this year, 90 will be filled by Manitoba graduates. Rural schools, however, continue to have difficulty attracting suitable candidates.

Saskatchewan

Last year we reported on an unsuccessful court case concerning the setting up of a French immersion program, brought against the Weyburn School District by Canadian Parents for French. In hearing the appeal, the Court suggested that Weyburn parents reorganize and bring another suit, this time as a local parents' committee, thus meeting the requirements of the Education Act. No such action has been taken and, consequently, no immersion program has been started in Weyburn. The case illustrates just how difficult it is, regardless of generous legislative provisions, for a local parents' group to muster, and keep mustered, the energy, interest and resources required to fight court battles that may stretch over years. In the meantime, however, the Weyburn School Board has initiated a core French program from kindergarten through to grade six, which means that all grades in that division now receive some French instruction.

The growth of immersion programs in Saskatchewan as a whole continues to be encouraging. The province estimates that by 1990 the enrolment in immersion will top 18,000; 10 years ago it stood at 338. The number of schools designated for immersion classes has grown from two to 44. What is all the more remarkable is that this growth has occurred while the overall school population has been in decline. At the same time, compulsory core French is gradually being introduced into the early grades of the public school system. The Regina School Board, for example, has now phased in compulsory French for all its elementary students, and the city's Separate School Board has developed pilot projects to find the best way of initiating a system-wide compulsory program.

The expansion of immersion and core French has not happened without a good deal of pressure on the capacity of the school system to supply qualified teachers and new facilities. While this situation is not unique to Saskatchewan, it is estimated that the province will have to hire or retrain more than 80 teachers a year to meet the demand. Although there has been a drive to recruit bilingual teachers from outside the province, school boards are urging their teachers to take advantage of the newly created postgraduate programs in French immersion teaching offered by the Universities of Saskatchewan and Regina. The ability to produce qualified immersion teachers is bound to have a major influence on the long-term success of the program, and the rationalization of the teacher training process is another area in which the federal government has a duty to take an interest.

Alberta

Enrolment in French second language programs continues to grow across the province. Many public school boards are planning to introduce students to core French earlier in the elementary program. A survey conducted by the Fort

McMurray School Board, for instance, showed that almost 69 per cent of parents thought French instruction should start in grade four, instead of grade seven or ten, and another 17 per cent thought it should start even earlier.

The province's immersion program is expanding at both the elementary and secondary levels. In Grand Prairie, for example, where 40 per cent of the kindergarten students are in French immersion, the city's Catholic School Board has decided to carry French immersion through to grade twelve.

The long-term planning problems that this school board faces are shared by many others in the rest of Canada. While a $2.6 million renovation project to accommodate the expanded French immersion program at Grand Prairie's École St-Gérard is under way, it is estimated that the same school could run out of space again by 1988.

In the past we have reported all-night line-ups by Calgary parents trying to register their children in French immersion classes. Matters have now taken a different tack: there are many more facilities for immersion students, but the schools are increasingly overcrowded. The Calgary School Board's solution of changing school boundaries has affected nearly every bilingual program in the city, making it necessary to bus many more children to other schools. In some cases, this may mean a bus ride of up to two hours a day. Faced with this prospect, many parents are beginning to ponder the benefits of immersion instruction against long daily bus rides to schools.

In June 1985 the Alberta government issued a Policy Statement on Secondary Education. To follow up the recommendations put forward, the province has now reviewed all existing core courses, including core French programs. The results of this study are under examination by an advisory committee of the Minister of Education.

British Columbia

Parents in British Columbia continue to be enthusiastic about French language programs for their children. Canadian Parents for French, for example, reports that it has more members in British Columbia than any other province, over 30 per cent of whom joined this year.

Last year concerned parents in the Cowichan School District were contemplating court action under the Charter of Rights because their Board had decided to discontinue French immersion past grade six. The Cowichan Valley Parents for French (a local chapter of the British Columbia Parents for French) first served the newly-elected Board of Trustees with a petition for the continuation of the secondary immersion program. The trustees then voted unanimously to reverse their decision. The Board decided not only to provide secondary immersion through to grade twelve but also to expand the early immersion program. The court action was dropped.

On Vancouver Island's Saanich Peninsula, a similar dispute occurred between the parents of children enrolled in early immersion and the trustees of the Saanich

School Board. In April the School Board had voted to phase out French immersion in elementary schools. The Board regarded immersion, in which 600 of the district's 6,300 students were registered, as "an administrative nightmare, occupying a disproportionate amount of administrative and trustee time." The greatest problem facing the Board was to find classroom space. From the parents' point of view, the trustees had reneged on their election promise to maintain French immersion in the district. By the end of May the parents had successfully campaigned to have the immersion program reinstated, but it now starts in grade one instead of kindergarten and will not be expanded beyond the two schools in which it already exists. In the meantime, the Board has appointed a committee to advise on the kind of immersion program it may need. As a majority of the recently-elected trustees oppose any expansion of early immersion, the future of the program may again be in doubt. Finding the best way to accommodate different points of view among parents and school trustees presents a difficult challenge. Only open and informed discussion will produce stable decisions that will not place students in a perpetual tug of war.

The total provincial enrolment in immersion has now reached almost 19,000. In contrast to last year, enrolment in core French also appears to be on the increase. Like other provinces British Columbia has difficulty finding enough qualified immersion teachers. Some school districts, such as Kamloops, have started to hire teachers from eastern Canada. For French immersion programs faced with funding problems, there was some encouragement early in May from the federal government. Speaking at Kelowna's Centre culturel français, the then Secretary of State said that he felt the federal government could play a larger role in maintaining these programs and could even act as an intermediary between provincial governments and school boards in developing appropriate funding policy. It is consummation of the federal role devoutly to be wished.

Yukon

French immersion programs continue to be offered in Whitehorse up to and including grade five. Of the 282 students enrolled in the French immersion programs, those in kindergarten and grades one and two use French as the language of instruction throughout the school day. French is used 80 per cent of the time in grade three and 70 per cent in grades four and five. Core French programs are offered in grades one through twelve.

Of particular interest this year is the pilot project at F.H. Collins Secondary School in Whitehorse. Under the supervision of the local Centre français and with the support of a grant from the Secretary of State, students are now able to enrol in a variety of secondary courses taught entirely in French. Since September five students have enrolled, but the co-ordinator of the program expects more to follow in the second semester. The courses, available to students in grades nine through twelve, are accredited by the Department of Education and constitute part of the normal requirements for secondary school graduation. We will follow the progress of this project with interest and hope that it will encourage other schools to follow suit.

Northwest Territories

French language programs in the Territories are increasingly popular. Approximately one-third of the student population of 13,296 is now enrolled in core French or French immersion classes. The majority of the pupils are in core French, but the number enrolled in the Territories' four immersion schools is still growing. Immersion is offered from kindergarten through to grade ten. Core French is taught in all grades, but the majority of core students are in grades one through six.

A June meeting of the French Second Language Program Development Committee reviewed the first draft for a curriculum guide for core French teachers of kindergarten to grade six. Among the issues raised during the discussions were the need for a policy statement specifying the amount of teaching time to be devoted to core French and the school system's need for more qualified French teachers. The year also saw the formation of the Northwest Territories Schools Project Committee, which will co-ordinate participation in the Canadian Association of Second Language Teachers' National Core French Study.

Post-Secondary Education in French: Growing Pains

Canadian universities are beginning to recognize that they must respond to the needs for post-secondary education in French of two groups: Francophone students outside Quebec and Anglophone graduates of French immersion.

The more pressing of the two needs is to provide post-secondary opportunities for Francophones; the lack of such opportunities is a serious handicap to all the Francophone communities outside Quebec. A 1985 report entitled *Éducation et besoins des Franco-Ontariens : le diagnostic d'un système d'éducation*, discussed in last year's Annual Report, showed how acutely this handicap is felt in Ontario. One point bears repeating: "in both community colleges and universities, the almost total absence of French language programs for technological, industrial, scientific and commercial disciplines has the effect of excluding Franco-Ontarians of today's generation from participating on an equal basis in the social and economic future of Canada." No similar study has yet been undertaken outside Ontario, but there is no reason to suppose the situation in most other provinces to be anything except worse.

Next for consideration are the immersion graduates and other Anglophone students who have become functionally proficient in French. Those now flowing from our high schools are a trickle compared to the torrent that will pour out in the late 1990s. Universities should be preparing for the likelihood that more and more young Anglophones will wish to take some courses in French at the post-secondary level. They should be conscious that many of these students will be enrolling in courses taught in French to improve their knowledge of the language and to prepare themselves for jobs where bilingualism is an asset.

It is essential to understand that identical programs are unlikely to be of equal benefit to both groups. Francophone students can benefit most from instruction that is wholly in French in a predominantly French environment. What immersion graduates need are ways to maintain and develop their French skills as they move toward the job market. While there may be educational situations in which the

balance of these two needs can be satisfied simultaneously without prejudice to either group, they are likely at present to be fewer than one might hope, and one must be very careful not to force the pace in this respect. Young bilingual Francophones outside Quebec may, because of their minority background, be more amenable to mixed post-secondary instruction, but we are inclined to the view that this is less than what is either ideal or possible. There are undoubtedly arguments to say that "coeducational" arrangements of this sort are the best preparation for the real world that awaits both Anglophone and Francophone bilinguals. But there are, or ought to be, equally good or better alternatives for both groups. Canada has not explored to the fullest either the practicality or, in the largest sense, the economy of providing minority Francophones with a suitable range of post-secondary programs within a single, comprehensively French "centre of excellence", in the West particularly, along with the necessary transport and accommodation allowances. There would be no harm in eventually allowing a few fluently bilingual Anglophones to share that experience, but they would owe it to their minority brothers and sisters to use such an option with the greatest linguistic consideration and tact.

The debate about what may be best for the vast majority of young bilingual Anglophones has barely begun, and we do not pretend to have even a small proportion of the possible answers. However, our experience does suggest clearly that asking more or less bilingual Anglophone teachers to teach versions of their standard courses in French may not be doing the greatest service either to their pupils or to themselves. Some may be well fitted to do so, but the second or third language abilities of even the most willing of the remainder make such a project dubious on a large scale, at least for some years yet. But the question begs to be asked: is that what these highly motivated and academically superior young people really need to bridge the second-language gap between high school and a still rather concentrated bilingual job market? And are we ready to answer for their frustration if this experience proves less than "relevant"?

Would we be on safer and more fruitful ground if we were to offer them more choices: encouragement to audit optional French language and literature courses; tailored courses in *general* science, history, art, or whatever, in French; opportunities to debate or conduct club or other residential activities in French; in short, any number of well-planned but less academically essential courses in good, clear contemporary Canadian French? We owe it to them and to ourselves to find out. A full, frank and informed discussion of these and other questions should be very high on the agenda of the provincial and federal governments. These are tomorrow's leaders and their educational fate and potential contribution to our country is too important to be left to improvisation.

As universities and colleges go through some lean years, it would be both unrealistic and unnecessary for all institutions to remodel their programs to provide a wide range of French offerings. Co-ordination among provinces and consultation with representatives of the client groups will be essential to a fair and sensible

distribution of the limited resources that are likely to be available for both purposes. A number of institutions already have programs under way, and some impressive efforts, ranging from the ingenious to the ambitious, have been mounted. We will discuss the year's events below, beginning with the national scene before turning to Ontario, the West and the East. (The province of Quebec falls outside this discussion, since both language groups in that province are relatively well provided with post-secondary opportunities to study in either English or French.)

National Events

Conferences on post-secondary education

Last March Canadian Parents for French held a colloquium on French post-secondary education in Ottawa and three main points emerged:

- a consensus that the needs of the Francophone community must take precedence over those of immersion graduates;
- agreement that there is a need to inform and encourage secondary students who may be eligible for French programs in post-secondary institutions; and
- affirmation of the importance of teacher training and university funding.

The Canadian Society for the Study of Higher Education held its annual conference at the University of Manitoba last June. The topic discussed was: "Post-Secondary Education in Canada: The Cultural Agenda". The papers presented (including the Commissioner's address "Bilingualism in Canadian Universities and Colleges, or Post-Secondary Education in the Language of the Official Minority — For Whom? Why? and How?") are being published as volumes XVI and XVII of *Monographs in Education*, edited by Alexander Gregor and Keith Wilson, University of Manitoba, 1986.

Studies released by Secretary of State

Early in the year the Department of the Secretary of State released two related studies. The first, *The 1983-84 National Survey of Post-Secondary Students*, covers, among other things, access to instruction in the official language of the student's choice. It found that almost half the Francophone students outside Quebec were instructed entirely in English. Forty per cent of these students said they would have preferred bilingual instruction and 10 per cent would have preferred instruction entirely in French. In Quebec the great majority of Francophones and over 70 per cent of Anglophones were receiving post-secondary education in their mother tongue. About one-third of both these groups said they would have preferred a bilingual education.

Accessibility to Post-Secondary Education in Canada, a Review of the Literature is a more general study with some application to the official languages minorities. It stresses the increasing importance of part-time adult education and examines the post-secondary participation of minority groups in general. One of its conclusions is: "A closer examination of how provincial variations in the funding of universities (and colleges) influence access by various socio-economic and cultural minority groups constitutes another direction for future research initiatives." We heartily concur.

Ontario

Government initiatives

The Ontario government has taken several steps which would seem to be in direct response to the findings of the Churchill Report and which complement its progressive stance on French-language services. On December 5 Ontario and Quebec signed a memorandum of understanding on post-secondary education which calls for both provinces "to offer, wherever feasible, an opportunity for students to continue their post-secondary education in an institution and province of their choice." The agreement will facilitate the admission of Franco-Ontarian students to Quebec universities. As the programs to be considered initially will be in the health sciences area, the move should have a useful impact on Ontario's serious lack of qualified French-speaking professionals in the health and social services fields.

In 1986-87 the Ministry of Colleges and Universities provided $900,000 for universities wishing to start new French-language programs. "Extra formula" grants, that is, money over the normal allotment, were also awarded; ($15.1 million to universities and $8 million to community colleges). The money is to pay for bilingual and French-language courses.

Studies in Franco-Ontarian education

Two studies of the Franco-Ontarian population also appeared in 1986. The first, released in April, was *Le profil de l'étudiant franco-ontarien quant à son intention de poursuivre des études post-secondaires* by University of Ottawa researchers Pierre Poirier, Evelyn Gagné and Maurice Lapointe. The study compared the academic intentions of Franco-Ontarian students in grade twelve in order to discover the qualities which define those who intend to pursue university or college studies and those who wish to go to work immediately after high school. The researchers recommend further study into such questions as why so few Franco-Ontarian students register in such programs as Science and Engineering or Health Sciences.

In mid-May Professor Jean-Charles Cachon of Laurentian University released his *Étude stratégique sur les services d'éducation universitaire en français dans le nord-est de l'Ontario*. Professor Cachon examined the post-secondary educational needs of Francophones in northeastern Ontario, with particular reference to the ways in which Laurentian University may be able to fill in the gaps. He suggests that the University should set up a Comité de développement des services en français to oversee the provision of French-language services. Other recommendations include a program to increase the bilingual capacity of the faculty, promotion of French-language programs and development of facilities for French-language doctoral research.

Survey of universities

The Council of Ontario Universities undertook a survey on behalf of the Association des universités partiellement ou entièrement de langue française this year. All universities received a form asking them to solicit information from their faculties and doctoral students regarding their ability and willingness to teach courses in French. The Council hopes to have the inventory computerized in the spring.

Ontario universities and colleges

Cambrian College announced in October that it would open a new Centre linguistique in January 1987 to co-ordinate the teaching of French as a first and second language, as well as that of other languages.

Canadore College has started an adult literacy course for Francophones in northern Ontario, where the overall rate of functional illiteracy (defined by the United Nations as having a grade nine education or less) in the Francophone community is 34 per cent. A dozen volunteer tutors have been trained and matched with clients, and a second workshop is about to train 15 more.

Carleton University has created a "mention français", roughly, a "French qualification". To receive this qualification, students would have to demonstrate their ability to work in French in their own discipline at the university level and their understanding of the French experience in Canada. The program is designed for Anglophones who are not taking a major or an honours degree in French.

Laurentian University is planning to open a new French campus in September 1987 — in France! About 300 students are expected to enroll in the first year, half of them Francophones. Any student who has completed a year in a Canadian university may apply.

Ottawa University released the reaction of its Comité de planification scolaire to the Groupe de travail sur les services en français, which recommended establishment of new degree programs in Law and Health Sciences. The University is expanding its course for immersion graduates. In 1986-87 full year introductory courses for advanced second language speakers were offered in five departments.

Queen's University professors are working on an "intelligent microcomputer-based instruction system" for French second language teaching. It will be based on the "Q'Vinci" program, which uses IBM mainframe computers to teach written Italian.

The University of Toronto is now offering philosophy and architecture courses in French and a law course is proposed. The University has also produced a microfiche catalogue of its library holdings in French and is preparing a list of its bilingual faculty members. The student radio station, CIUT, which has just begun to broadcast on the FM band, will carry a Sunday morning French program called "Branche-toi". The University had also hoped to open a "French House" on the Erindale campus but the response was not quite high enough. However, the residence office expects more applicants in 1987-88 and intends to go ahead even if the demand is small. The program will be open to Anglophones who have studied French, and to Francophones.

The University of Waterloo has added to its existing French-language Engineering and Arts courses by creating an exchange program which will allow five students a year to study in Nantes, France.

York University has released the *Report of the President's Advisory Committee on Bilingualism*. It recommends, among other things, that the University should

encourage Franco-Ontarian student enrolment at York, provide bilingual documents and signs wherever possible on campus, and establish bilingual graduate programs, language training opportunities for the faculty and French social and cultural activities. York also undertook an "academic mission to France" in the spring to explore the possibility of co-operation. The delegation subsequently recommended that the University embark on a program of academic exchanges with French universities.

The West

Manitoba

Collège universitaire de Saint-Boniface has instituted a Master's degree in French Education. So far, demand has exceeded the available places.

The University of Manitoba found that about 160 of its professors felt able and willing to teach in French. The Department of Education, however, has declined to support a plan to offer courses in French, apparently fearing that the lone Francophone institution in the area, Collège Saint-Boniface, might suffer from the competition. In the opinion of this Office, it would be unfortunate to drop the idea altogether before more discussion and research have been undertaken. But the stakes for the minority may simply be too high at present. The University and the Collège might, in the meantime, find some amicable compromise which would serve the needs of Francophones and bilingual Anglophones to the greater satisfaction of both.

The University has also recently produced a useful and extensive publication entitled *Bilingual Education, A Challenge for Canadian Universities in the '90's*. The intent of the volume "is to discover how English-speaking universities in Canada intend to cope with the demand for some undergraduate courses in French which incoming immersion students are expected to request during the next decade." The document includes a description of the programs which are now available across the country, the results of a survey mailed to a thousand Canadian university professors, material compiled from interviews with 87 university administrators and professors, and a bibliography. The principal recommendations are that:

- a number of undergraduate courses be taught in French in most Canadian universities;
- imaginative French-language training programs be set up at universities across the country to bring the level of fluency of a significant number of university professors up to the high standards required to teach their discipline in French; and
- the federal government through the Council of Ministers of Education should make direct funding available to universities which are prepared to offer courses in French and/or set up language training programs to improve the language proficiency of their professors.

Saskatchewan

The University of Regina is undertaking an elaborate pilot project in which two groups of five professors will be given the opportunity to study 15 hours of French per week over two semesters. In the third semester they will travel to Laval University in Quebec City to work in their own fields. After their return to Regina they will be expected to teach some courses in French to immersion graduates. The project, which will be funded by the federal and provincial governments and the two universities, will cost some $400 thousand for the initial two and a half years.

The University of Saskatchewan is now offering Introductory Sociology as its second course in French. Of the 25 students registered, about half are Francophones. The University has had difficulty in providing French books and other resources, but the situation is apparently better than it was three years ago when the first course was begun. The University's Faculty of Education has also instituted an immersion teacher training program this year, a one-year B.Ed. degree designed for elementary school teachers. Students in the program will receive 90 per cent of their training in French.

Alberta

The University of Alberta has brought back a second language requirement in the Faculty of Arts. The University is also providing French courses by "teleconferencing". One teacher in Edmonton can now phone the course to classrooms in Calgary, Peace River, Girouxville, Falher, Yellowknife, Vancouver and Bonnyville. Five such courses are available.

British Columbia

In January 1986 a conference on post-secondary education was held by the Fédération des Franco-Colombiens in Vancouver. Dr. Geoffrey Mills of the British Columbia Ministry of Education announced that a study has been proposed to determine the number of immersion students now in high school who will be eligible for post-secondary French education. Among the recommendations of the conference:

- French post-secondary courses should be open to Anglophones as well as Francophones if they possess adequate knowledge of the language;
- one institution should take on the greatest part of the responsibility of offering French courses, with the possibility of using long-distance teaching to disseminate the instruction;
- exchanges with other provinces should be considered; and
- Dr. Mills's research proposal should include examining the needs of the adult Francophone population.

Simon Fraser University has begun something new to British Columbia: since January 1987 two courses ("Le Canada jusqu'à la Confédération" and "Introduction à la politique canadienne") have been offered in French. Until the introduction of these courses British Columbia had been the only province with

no French post-secondary courses at all. While they are intended to answer the needs of immersion graduates, the courses are open to anyone with the necessary background.

The East

Prince Edward Island

The University of Prince Edward Island announced its new policy on extended French opportunities last May. This "Statement on French Language and Culture" addresses the needs of French immersion graduates and announces the University's intention to promote classes taught in French. Professors are to be given the opportunity to improve their French skills, and the University is seeking additional financial assistance to put the policy into practice. In the meantime, there are the usual difficulties in recruiting staff.

New Brunswick

The University of New Brunswick is in its second year of a program to train immersion teachers. Ten students are enrolled for 1986-87 and a documentation centre is in the process of being set up to complement course offerings.

Although *l'Université de Moncton* has not initiated any new programs this year, the institution deserves mention for its long-standing provision of French post-secondary education for Francophones and its translation department.

* * *

This national panorama is quite heartening, and many institutions deserve praise for their forward-looking and constructive approach. Nonetheless, two considerations must remain uppermost in everyone's mind:

- opportunities for Francophones to study in their mother tongue, especially outside Ontario and New Brunswick, have not received as much collective attention this year as have programs designed for immersion graduates. The needs of the official language minorities must take precedence, not because the needs of immersion graduates are unimportant, but because, without an educated Francophone minority base, advanced Anglophone bilingualism would be as frustrating as a one-way telephone;

- adult education for the minorities, and particularly literacy programs such as that being developed at Canadore College, cannot be given too much support. These are the poor relations of the glamorous programs designed for more fortunate students, but their benefits for the individual and the community are high and they also solve a particular problem in a very direct way without requiring large financial outlays.

The Commissioner made a number of recommendations in his address to the University of Manitoba conference on post-secondary education last June. These are summarized in the following points, which may be regarded as preliminary suggestions on this complex subject. We believe that:

- in the context of the renegotiation of the federal/provincial/territorial accords, a *strategy* for the funding of French post-secondary education should be designed that will give priority to the needs of the official languages minorities but not neglect those of immersion graduates;
- in the same context, the provincial governments should be encouraged to develop policies on French post-secondary education and to co-ordinate the efforts of individual institutions so as to make the most efficient use of the resources which are already available;
- a national colloquium on French post-secondary education should be held as soon as possible; at the very least, it should aim to ensure regular information sharing and periodic discussion of new approaches and developments; and,
- adult education and literacy programs for the official languages minorities should receive even more attention and support from governments, universities and colleges.

APPENDICES

Office of the Commissioner: Keeping up the Pressure

Under the Official Languages Act, the Commissioner has three principal duties: as linguistic ombudsman, to protect the language rights of all Canadians; as linguistic auditor, to oversee compliance of federal institutions with the Act; and, as promoter of language equality, to take initiatives to further language reform and, in particular, ensure that Canada's official language minorities receive the protection they require to retain and develop their distinct, but threatened, identities. He is assisted in his duties by a Deputy Commissioner, five branches at headquarters and six regional offices.

The main thrust of the Commissioner's activities this year continued to be the exploration of all approaches likely to achieve substantial renewal of language reform as it affects both federal institutions and our minorities. These efforts involved wide-ranging contacts with Government and Public Service leaders, Parliament, the media and a variety of other audiences, to generate a better understanding of the progress made to date and to develop possible solutions to current and long-term problems. Year's end was marked by the exceptional procedure of submitting to the Governor in Council and to Parliament three special reports designed to involve Government in the search for solutions to chronic problems and to shed light on the question of linguistic rights when the Government is about to submit a new Official Languages Act to Parliament.

As part of his continuing policy of promoting awareness of the needs and aspirations of language minority groups, the Commissioner travelled extensively. In 1986 he visited seven provinces: British Columbia, Manitoba, Ontario, Quebec, New Brunswick, Nova Scotia and Prince Edward Island. In his meetings with the premiers of the provinces, some of their fellow Cabinet ministers, senior public servants, minority leaders, educators and opinion leaders, the Commissioner discussed the rights and requirements of minority communities and the need for even closer relations between these groups and their governments. While there appears to be a growing willingness on the part of many provincial authorities to give serious consideration to language questions, this more positive attitude often still needs to be translated into concrete action.

The Commissioner was guest speaker at the annual convention in Halifax of the Fédération acadienne de la Nouvelle-Écosse and the annual meeting of the Committee for Anglophone Social Action at Paspébiac in the Gaspé. In Winnipeg he addressed the Canadian Society for the Study of Higher Education and in Ottawa delivered opening remarks to the annual meeting of Canadian Parents for French. He visited Hearst and Kapuskasing in Ontario and Edmundston, New Brunswick, to deepen his understanding of regional questions and stress his support for official language minorities. His speech to the Ottawa-Carleton Board of Trade was the forerunner of a special report, due early in 1987, on a new "B and B" — business and bilingualism.

The Commissioner has continued the internal reorganization of his Office, in particular by strengthening its regional presence and activities. To bring the language ombudsman closer to the public at minimal cost, he proposes that leading members of selected communities be recruited to act as liaison officers on a contractual, part-time basis in provinces where there are no resident representatives. These people would be liaison officers with the Commissioner's regional representatives for and from communities in areas where access to the Office's representatives has been limited. This project should be in operation sometime in 1987.

The past year was marked by the colloquium of Canadian ombudsmen and an international colloquium on language planning (see Appendix B), both co-sponsored by the Commissioner's Office.

New senior appointments to the Office include Peter L. Rainboth as Deputy Commissioner and Jean-Claude Nadon and Anne-Marie D.-Sylvestre as, respectively, Director of Complaints and Audits and Director of Communications.

Policy

The major responsibilities of the Policy Branch are to provide comprehensive advice and detailed analyses to the Commissioner and his staff on policies, legislation, regulations and court decisions relating to official languages; to keep abreast of local conditions and special events involving language issues; to monitor government language programs, studies, surveys and related initiatives; to prepare speeches and presentations for the Commissioner and the Deputy Commissioner; to draft major sections of the Annual Report; to organize and follow up on conferences and other events sponsored by the Office or attended by its representatives; and to respond to special requests from Canadian and foreign government institutions and members of the public.

In 1986 the Branch conducted a number of special studies. These included a project to study and promote action on more effective co-operation between government and the private sector in pursuit of official languages goals, a study of the official languages accountability system, and preparation of two case studies on minority language communities in Quebec and Ontario. The Branch provided liaison

between the Office and the Joint Parliamentary Committee; prepared and maintained the Office's strategic plan; and drafted a number of speeches, articles and presentations on the Commissioner's behalf. It also helped organize, conduct and follow up on the International Colloquium on Language Planning.

For 1987-88 the Branch will have a staff of 13 and a budget of $1,003,000.

Complaints and Audits

This Branch investigates the official language deficiencies of federal institutions brought to the Commissioner's attention by members of the public and federal employees, and conducts audits of federal institutions.

The complaints handling process has been revised substantially to make it more efficient and, above all, to have complaints play a stronger role in bringing about permanent change. The Complaints Evaluation and Allocation Centre, which came into being on March 1, 1986, works closely with the line divisions of the Branch to resolve complaints.

In 1987 the Branch will devote more attention to horizontal studies and audits. These will include an examination of the ability of federal institutions in Atlantic Canada (beginning with Nova Scotia and Prince Edward Island) to respond to the needs of Francophone minorities and a review of the language principles that should apply when there is federal involvement in international events. The Branch will also explore the availability of bilingual services in the National Capital Region.

Major government institutions will henceforth be audited, generally speaking, on a six-year cycle. A follow-up, designed to ensure that action is taken on recommendations, will take place approximately one year after the audit report has been published. Special studies of segments of institutions will be undertaken when, for example, complaints indicate that, in a given sector, serious problems require immediate attention.

Twice in 1986 the Branch invited the directors of official languages of a number of departments and Crown corporations to discuss various aspects of the official languages program. There were frank analyses of the current situation and valuable exchanges on possible remedies. Further meetings will be held in 1987.

Over the past two years the number of divisions in the Branch has been reduced from five to three and a Research Unit has been established.

Last year the Branch conducted 34 audits, follow-ups and studies. It processed some 3,800 communications (complaints and requests for information) from the public, of which approximately 1,400 were the subject of individual investigations. The remaining 2,400 complaints were investigated in the course of audits and follow-ups or transmitted to departments for action.

For 1987-88 the Branch will have a staff of 53 and a budget of $2,695,000.

Communications

To promote and publicize language equality in Canada, the Communications Branch distributes by mail, at exhibitions and at conferences copies of the Commissioner's Annual Report, the magazine *Language and Society*, and a host of special print and video items. It also answers requests for information and documentation and maintains a mailing list of individuals and organizations interested in receiving regular publications and special materials. Its reference library is open to the public. Through regular contacts with the media, the Office is given visibility in every region of Canada.

In 1986 the Branch took a number of steps designed to meet the needs of its various publics: a study of a fresh editorial and design direction for *Language and Society*; development of a system for the continuous evaluation of information products; and an analysis to identify savings in the production of the daily and weekly press clippings. Computerization of the distribution unit's operations was completed and the challenge of having computers deal with order processing in either language was met successfully.

Two issues of *Language and Society* appeared in 1986. The March issue, "The Minorities: Time for Solutions", contained the edited proceedings of a colloquium sponsored by the Commissioner in Ottawa and Hull on October 17, 18 and 19, 1985. The September issue, devoted to youth, published the winning texts submitted in the Commissioner's creative writing contest to celebrate International Youth Year. In the same issue, an article by Stacy Churchill and Anthony Smith, "The Emerging Consensus", analysed some of the data collected in a September/October 1985 Canadian Facts opinion survey.

Young people have always been one of the Office's priorities. In 1986 winning and runner-up entries to the creative writing contest were published under the title *You Put It in Words*. The comments and opinions of the contest winners were profiled in *Fiction in Action*, a video developed primarily for the television market. This video, along with class sets of *You Put It in Words* and a study guide was distributed to high schools as a kit called *Share the Vision*. Following a product evaluation, the Branch revised the *Explorations* game. The unit cost has been lowered substantially, the rules simplified and the number of components reduced. *Two-Part Harmony*, a publication on language rights aimed at 15-17 year-olds, is at the pre-test stage. It includes illustrations and suggestions for activities that should make it particularly attractive and useful in classrooms. The Branch also began development of a school agenda for 12-14 year-olds.

This year the Branch distributed 21,324 copies of *Explorations*, 60,811 of *Oh! Canada 2*, 7,800 of *Telephone*, 10,483 of *Annual Report 1985*, 8,017 copies of an off-print of Part V on youth, languages and education (with an additional 8,000 reprints), 172,743 youth posters and 31,670 copies of *You Put It in Words*. This last item was so popular that, despite our policy of controlled distribution, the initial print run of 30,000 had to be followed by 20,000 additional copies. In December the Office received 712 requests for the *Share the Vision* kit.

During the year the Office took part in several exhibitions and conferences in the National Capital Region and other locations. The Branch co-ordinated the Office's participation in Expolangues 1986, an international meeting held in Paris from February 10 to 23. The Office also established closer and more numerous contacts with the media across the country, the purpose being to make more Canadians aware of the state of language reform.

For 1987-88, the Branch will have a staff of 20 and a budget of $2,823,000.

Regional Operations

Since the Branch's creation in May 1985 its head office staff have managed and co-ordinated regional offices in Moncton, Montreal, Sudbury, Winnipeg, Edmonton and, as of December 1986, Toronto. Ottawa staff maintain regular contact with national minority language associations and community groups and see that the Commissioner and his staff are kept abreast of regional activities and events. The Branch analyses and synthesizes developments which could have an impact on language reform in the regions, provides the Commissioner with advice and information for his regional visits and co-ordinates the regional offices' participation in the preparation and distribution of this Report. Staff in regional offices investigate complaints of a local nature, participate in language audits and promote equality for English and French at the grassroots level.

New to the Branch's work this year was the concept of "concertaction": regional staff are part of a team (drawn from municipal, provincial and federal governments, the private sector, and other interested groups) formed to advance the cause of language equality by concentrating its members' combined efforts on a specific project. Also in 1987 the Branch will co-ordinate the activities of the new part-time liaison officers located in areas of the country where there is no resident representative.

An extensive audit of the Atlantic provinces, conducted jointly with the Complaints and Audits Branch, is now under way; another is planned in 1987 for Alberta.

For 1987-88 the Branch will have a staff of 30 and a budget of $1,994,000.

Resource Management

This Branch oversees all aspects of the Office's personnel management, assists and advises managers on personnel policies and practices, administers the budget, controls spending and ensures the efficient and effective use of material resources. The Branch has delegated authority for most matters relating to the Office's personnel, finance and resource management.

Resource Management was responsible this year for administration of the Office's budget of $10,609,000. Approximately 65 per cent of this budget is spent on salaries, contributions and employee benefits, and 35 per cent on program and administrative needs. The Office's budget has remained relatively constant over the past three years.

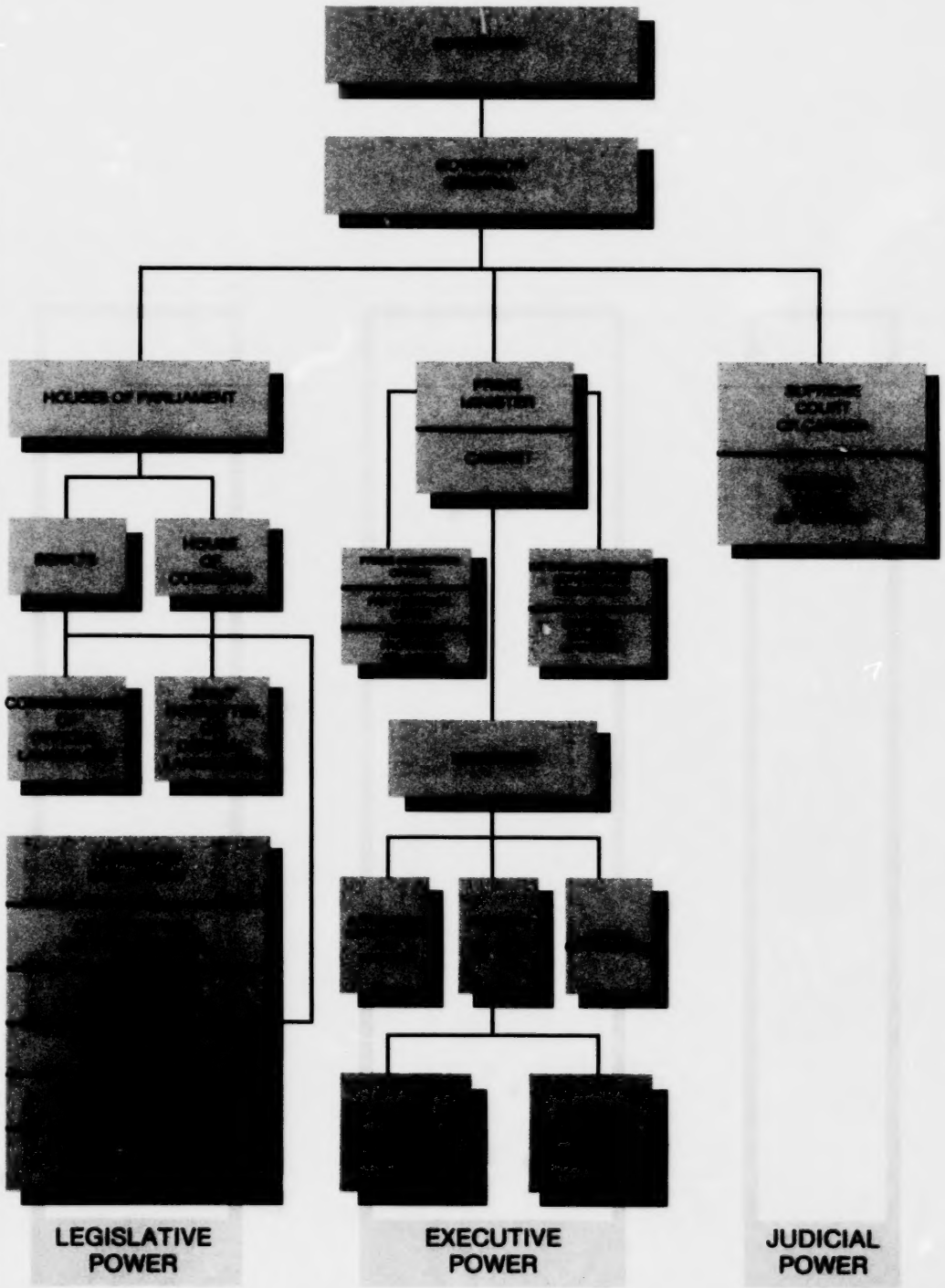
Understandably, all of the Office's employees must possess a high degree of bilingualism. Approximately 75 per cent of the 152 permanent employees are Francophones, a ratio which has remained fairly constant over the years despite concerted recruiting efforts to increase the number of Anglophones. Our success in doing so has been limited by a number of factors: the mandate of the Office, which tends to be of more direct interest to Francophones than to Anglophones; the high standard of individual bilingualism required of employees; the small size of the Office and, consequently, its low staff turnover. Over 80 per cent of the candidates in any given competition are Francophones, a situation we nevertheless anticipate will change in the future as the Office pursues the recruitment of qualified Anglophones as one of its top administrative priorities.

For 1987-88 the Branch, which includes the Personnel, Finance and Administration divisions, as well as the Commissioner's Office, will have a staff of 36 and a budget of $2,094,000.

GOVERNMENT OF CANADA

Abridged Organization Chart

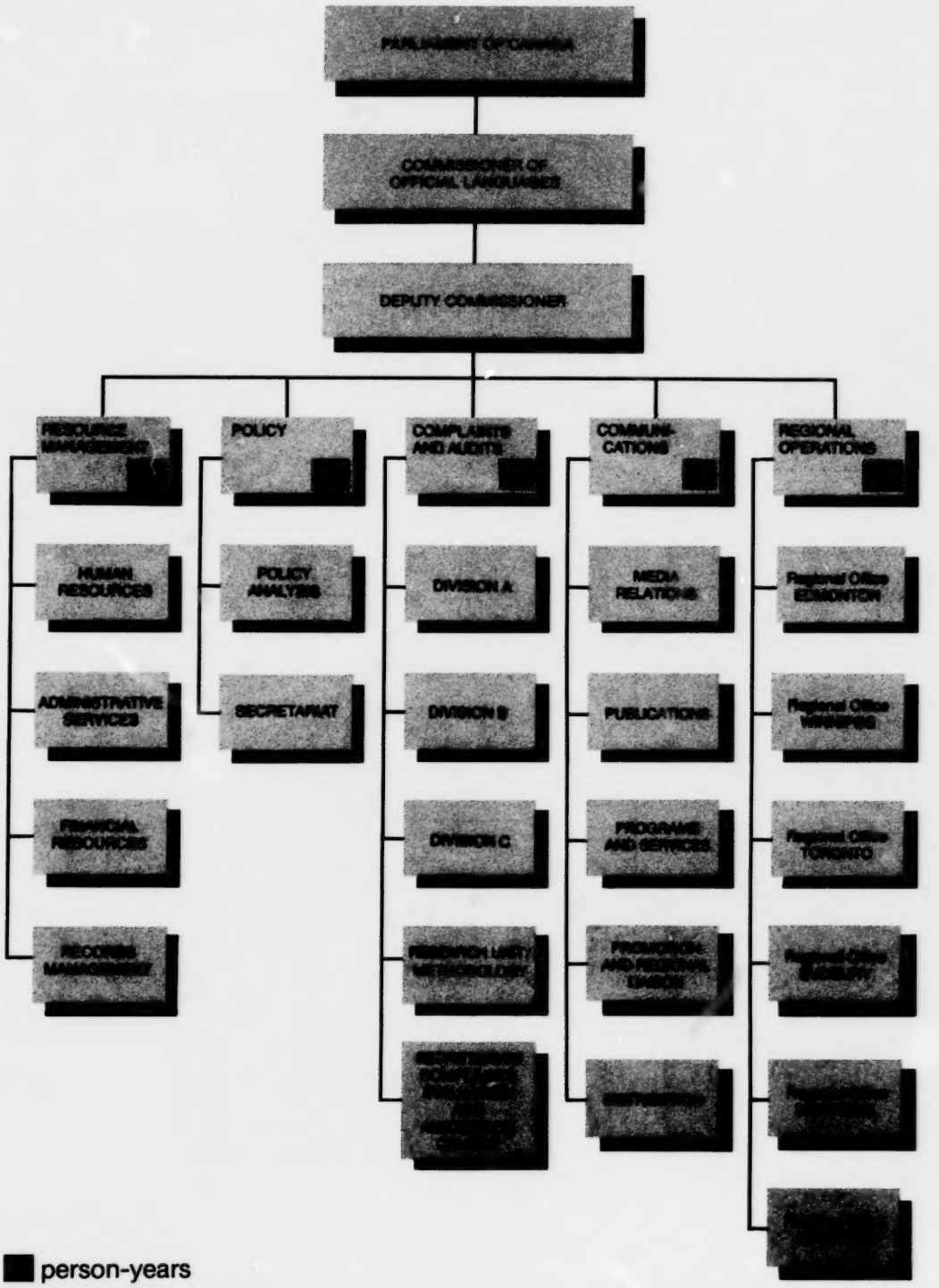
1



OFFICE OF THE COMMISSIONER OF OFFICIAL LANGUAGES

2

Organization Chart



■ person-years

COMPLAINTS

A.1

Number of complaints received from each province, 1970–85 and 1986; institutions cited in complaints and nature of complaints for each province, 1986

	1970–85	1986						
	Total complaints received	Complaints received	Institutions cited		Nature of complaints: French		English	
	Number	Number	Federal	Non-federal	Language of service	Language of work	Language of service	Language of work
Newfoundland	88	35	35	—	32	3	—	—
Prince Edward Island	193	39	36	3	38	1	—	—
Nova Scotia	441	437	414	23	423	9	4	1
New Brunswick	1,419	140	103	37	125	12	3	—
Quebec[a]	3,921	150	127	23	53	28	65	4
Ontario[b]	8,187	2,679	2,509	170	640	1,959	39	41
Manitoba	1,072	87	71	16	79	4	4	—
Saskatchewan	606	66	62	4	63	1	—	2
Alberta	772	117	107	10	112	1	4	—
British Columbia	443	83	79	4	76	4	2	1
Northwest and Yukon Territories	27	6	6	—	5	1	—	—
Foreign Countries	106	8	7	1	6	—	2	—
TOTAL	**17,265**	**3,847**	**3,556**	**291**	**1,652**	**2,023**	**123**	**49**

[a] Includes the Quebec portion of the National Capital Region.

[b] Includes the Ontario portion of the National Capital Region.

AUDITS AND FOLLOW-UPS

A.2

Audits and follow-ups conducted in federal departments and agencies, 1984, 1985 and 1986

1984

Agriculture (internal services and research and development)
Air Canada (Toronto international airport: language of service)
Air Canada (Ottawa district: language of work)
Anti-dumping tribunal
Auditor General of Canada
Bureau of Pension Advocates
Canada Museums Construction Corp Inc.
Canadian Industrial Renewal Board
CN (tower and hotels)
CN (language of work at headquarters)
External Affairs (headquarters)
Harbourfront Corporation
Inspector General of Banks
Justice
Labour
Laurentian Pilotage Authority
Linguistic dealings between five Crown Corporations and their Quebec based suppliers
National Energy Board
National Film Board
Parks Canada
Canadian Pension Commission
Pension Review Board
Regional Industrial Expansion (Tourism Office)
Royal Canadian Mounted Police (central administration)
Senate
Social Sciences and Humanities Research Council
Veterans Affairs
War Veterans Allowance Board

1985

Audits

Canada Harbour Place Corporation
CN Marine
Employment and Immigration Commission (central administration)
Environment
Governor General
House of Commons
Integration of official languages in internal auditing
Prime Minister's Office
Privy Council Office
Regional Industrial Expansion
Royal Canadian Mounted Police (central administration)
Supply and Services (services)
Via Rail (language of work)

Follow-ups

Atomic Energy Control Board
Canada Council
Canadian Broadcasting Corporation (engineering)
Canadian Broadcasting Corporation (general)
Canadian Radio-Television and Telecommunications Commission
Canadian Transport Commission
Communications (Government Telecommunications Agency)
Export Development Corporation
Federal Business Development Bank
Fisheries and Oceans
Insurance
National Arts Centre
National Health and Welfare
National Revenue (Customs and Excise)
National Revenue (Taxation)
Parks Canada
Petro-Canada
Public Works
Social Sciences and Humanities Research Council
Secretary of State (Translation Bureau)
Transport

1986

Audits

Air Canada (in-flight service, air operations and maintenance)
Canada Mortgage and Housing Corporation
Canadian Security Intelligence Service
Comptroller General
Consumer and Corporate Affairs
Information and Privacy Commissioners
National Capital Commission
National Defence (Military College)
National Defence (Medical Centre)
National Museums
Public Service Commission
Royal Canadian Mounted Police (training centre and Saskatchewan)

Follow-ups

Auditor General
Bureau of Pension Advocates
Canada Lands Company (Mirabel) Limited
Canada Lands Company (Vieux-Port de Montréal) Limited
Canada Lands Company (Vieux-Port de Québec) Inc.
Canada Place Corporation (before Expo 86 opening)
Canada Post Corporation
Canadian Cultural Property Export Review Board
Canadian Pension Commission
CN (headquarters)
CN (tower and hotels)
External Affairs
Governor General
National Film Board
Pension Review Board
Prime Minister's Office
Seaway International Bridge Corporation Ltd.
Senate
Tariff Board
Veterans Affairs
War Veterans Allowance Board

YOUTH PROGRAM: DISTRIBUTION

A.3

Number and percentage of *Oh! Canada 2* and *Explorations* kits distributed upon request in each province, and size of the 8 to 12 and the 13 to 17 age groups in each province expressed as a percentage of the national total, 1980 to 1985

	OH! CANADA 2			EXPLORATIONS		
	Kits distributed[a] Number	%	8 to 12 age group[c] %	Kits distributed[b] Number	%	13 to 17 age group[c] %
Newfoundland and Labrador	24,517	2.6	3.1	9,184	1.7	3.2
Prince Edward Island	5,293	0.6	0.6	3,276	0.6	0.6
Nova Scotia	34,687	3.7	3.7	14,450	2.8	3.8
New Brunswick	74,341	8.0	3.3	16,647	3.0	3.2
Quebec	187,728	20.1	24.5	192,141	35.5	22.4
Ontario	401,068	42.9	35.1	201,893	37.3	37.5
Manitoba	43,992	4.7	4.5	19,852	3.7	4.4
Saskatchewan	26,971	2.9	4.4	13,475	2.5	4.2
Alberta	57,086	6.1	9.7	25,629	4.7	9.3
British Columbia	74,131	7.9	10.7	42,359	7.8	11.1
Yukon Territory	814	0.1	0.1	339	0.1	0.1
Northwest Territories	3,087	0.3	0.3	658	0.1	0.2
Foreign	963	0.1	—	1,283	0.2	—
TOTAL	**934,678**	**100.0**	**100.0**	**541,186**	**100.0**	**100.0**

[a] Kits distributed between November 7, 1980 (launching) and December 31, 1986.

[b] Kits distributed between September 22, 1980 (launching) and December 31, 1986.

[c] Derived from figures given in Statistics Canada Bulletin No. 81-210, Elementary-Secondary School Enrolment, 1984-85.

YOUTH PROGRAM: COSTS

A.4

Development, printing and distribution of the *Oh! Canada 2* and *Explorations* kits, number of copies and costs, 1979–80 to 1986–87

	Development and printing		Distributions[a]	
OH! CANADA 2	Number of copies	Costs ($)	Number of copies	Costs ($)
1979–80	301,508[b]	183,027	—	—
1980–81	—	124,540	126,944	86,124
1981–82	456,468[c]	209,717	174,259	52,308
1982–83	—	—	196,793	67,260
1983–84	300,100[b,c]	239,618[f]	92,014	126,526
1984–85	—	176,892[f]	110,523[f]	139,467[f,j]
1985–86	—	[c]	186,058[c]	106,023[c]
1986–87	—	—	48,000[d]	53,760[d]
TOTAL	**1,058,076**	**933,794**	**934,591**	**631,468**
EXPLORATIONS				
1979–80	201,722[b]	756,712	—	—
1980–81	—	334,721[e]	148,173	283,798
1981–82	130,946	569,891	53,517	109,683
1982–83	—	99,465[g]	85,142	109,914
1983–84	182,213	889,891[b]	78,333	173,902
1984–85	20,178	135,965	78,492	156,937[b]
1985–86	—	14,341[c,j]	85,700[c]	158,545[c]
1986–87	41,200[d]	162,888[d]	14,000[d,k]	24,724[d]
TOTAL	**576,259**	**2,949,533**	**543,357**	**1,017,503**

[a] Includes administration advertising, evaluation and shipping costs.

[b] Development and printing costs cover two fiscal years.

[c] Figures revised since the publication of the *1985 Annual Report*.

[d] Estimate.

[e] Includes the printing costs for 200,000 additional poster-maps, Languages of the World, and 100,000 additional booklets, The Language File.

[f] Includes the development and production of audio components.

[g] Includes the development and printing of the second edition of the Languages of the World poster-map.

[h] Includes the computerization of certain functions related to distribution.

[i] Includes the distribution of audio components.

[j] Includes the assembly of the fifth printing.

[k] Includes a period when the product was out of stock.

A.5

INTERESTED IN LANGUAGE MATTERS?

Publications, audio-visual materials, posters and kits produced by the Office of the Commissioner of Official Languages

ADULT MATERIALS[a]

Annual Report. A bilingual publication tabled in Parliament each spring. Provides Senators and Members of Parliament as well as the general public with a yearly assessment of progress achieved in the language reform program begun in Canada 17 years ago. About 200 pages in each language.

Annual Report Summary. A brief yet comprehensive summary of the Commissioner of Official Languages' Annual Report to Parliament. In small booklet format, the Summary is convenient for use at meetings, or for quick, easy reference. Approximately 15 pages in each language.

The Minority Challenge. An in-depth look at the problems of Canada's official language minority groups. An offprint of the Commissioner's *Annual Report 1984*. Small booklet format. Approximately 38 pages in each language.

Youth, Languages and Education. A comprehensive collection of facts about youth, languages and education. An offprint of the Commissioner's *Annual Report 1985*. Small booklet format. Approximately 70 pages in each language.

Language and Society. A bilingual quarterly magazine for those interested in language issues in Canada and in other countries. Provides a wide range of information and opinion by Canadian and foreign contributors. About 24 pages in each language.

Two Languages: The Best of Both Worlds. A bilingual poster the theme of which is dramatized in bold colour and design. 53 × 70 cm.

MATERIALS FOR YOUNG PEOPLE[a]

You Put It in Words. A collection of the best humorous, serious, thought-provoking original works of a creative writing contest held to celebrate International Youth Year. English selections appear on one side of the publication, French on the other. Approximately 40 pages in each language.

Share the Vision. A resource kit which gives unique insights into how young Canadians think and feel about living in a bilingual country. Each kit contains *You Put It in Words*, the *Fiction in Action* video and a Study Guide. Available to teachers and organizations only.

Languages of the World/Languages in Canada. A poster-map which, on one side, illustrates the official languages of more than 160 countries, and on the other gives data on English and French in Canada as well as on indigenous and heritage languages. 91 × 61 cm.

Explorations. A bilingual game inviting young people 12 years of age and older to discover our world's rich linguistic diversity and to learn about the role of English and French as international languages. In the *Explorations* game, each roll of the dice whisks players to another part of the world. Designed for up to four players.

The Language File. A booklet which offers a stimulating mix of articles, illustrations and activities about the history and role of languages in our lives. Sixteen pages in each language.

Oh! Canada 2. A bilingual kit for children 8 to 12 years of age. It includes the *Oh! Canada 2* booklet (32 pages) that begins with a comic strip describing the amazing adventures of Hildie, Jamie, Michel and Geneviève, the mischievous turtle. The pages which follow contain a fun-filled combination of activities — games, puzzles, and projects. The kit also includes a *Save Geneviève* game in which players travel across Canada to save the unlucky heroine, and a 33⅓ RPM record called *Telephone*.

Save Geneviève. A multicoloured, iron-on transfer of Geneviève, the mischievous turtle in the *Oh! Canada 2* kit. Ideal for T-shirts, 15 cm. in diameter.

Feathered Friends. An attractive poster giving the English and French names of a variety of North American birds. 48 × 69 cm.

Owls Hoot. This colourful bilingual poster illustrates birds and animals and describes the sound each makes in English and in French. 45 × 59 cm.

English and French ... in almost half the countries of the world. A bilingual poster showing, on colourful air balloons, the flags of countries where English and French are spoken. A legend on the back identifies the country to which each flag belongs. 48 × 69 cm.

Canada Goose. Through six light-hearted illustrations featuring a Canada Goose character, this poster shows young Canadians 9 years of age and under that federal government service is available to them in both official languages. 61 × 86 cm.

AUDIO-VISUAL MATERIALS[b]

More than Words ... The Official Languages Act. A short film describing the Official Languages Act and what it means in practical terms for Canada and Canadians. Also outlines the Commissioner's role. Useful in seminars and information meetings involving the general public or civil servants. Also available in a French version. 16 mm film or ¾-inch video cassette. Colour. 15 minutes.

Two Languages Together. Describes, with a light touch, the Official Languages Act and the role of the Commissioner. Recommended for training sessions, information meetings and seminars. Also available in a bilingual version, *Deux langues officielles, Why not?* and a French version. Slide show with taped narrative (60 slides and audio cassette) or ¾-inch video cassette. Colour. 7 minutes.

Twice Upon a Time ... Il était deux fois. A humourous look at bilingualism Canadian style. Designed to stimulate discussion. Especially useful in seminars. Bilingual, 16 mm film or ¾-inch video cassette. Colour. 10 minutes.

Bilingualism and Biculturalism, Twenty Years Later. Commemorates the 20th anniversary of the Royal Commission on Bilingualism and Biculturalism. Consists of interviews with a number of opinion leaders who evaluate the effectiveness of language reform in Canada. Also available in a French version, *B.B. vingt ans après*. ¾-inch video cassette. Colour. 30 minutes.

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[a] To obtain any of the above publications, please write to the Communications Branch, Office of the Commissioner of Official Languages, Ottawa, Canada, K1A 0T8.

[b] Audio-visual materials can be borrowed from the National Film Board film libraries across Canada, as well as from the Office of the Commissioner of Official Languages.

OFFICIAL LANGUAGES PROGRAMS

B.1

Spending estimates and person-years allocated to official languages programs outside and inside the federal public service, 1985–86 and 1986–87

	1985–1986		1986–1987	
	Revised estimates ($ 000)	Person-years	Revised estimates ($ 000)	Person-years
EXTERNAL: PROVINCES, TERRITORIES AND ORGANIZATIONS				
Secretary of State				
• Transfer payments to provinces and territories for language programs	214,306[a]		216,541	
• Transfer payments to official-language minority groups[b]	19,539		19,629	
• Transfer payments for bilingualism development programs[b]	7,810		7,509	
• Operating expenditures	4,749	76	4,076	71
National Capital Commission				
• Contributions to external bilingualism programs	300	.40	300	.40
Commissioner of Official Languages	9,924	141	9,809	145
Sub-total	256,628	217.40	257,864	216.40
INTERNAL: PUBLIC SERVICE AND ARMED FORCES PROGRAMS				
Treasury Board				
• Official Languages Branch	5,082	67	5,126	64
Public Service Commission				
• Language training	37,337	748	36,794	703
• Administration and other programs	3,010	65	2,956	63
Secretary of State				
• Official Languages Services[c]	90,556[a]	1,771[a]	89,505	1,588
Other departments and agencies	75,122	645	70,368	502
Armed Forces	40,504	1,085	42,027	1,131
Sub-total	251,611	4,381	246,776	4,051
TOTAL	508,239	4,598.40	504,640	4,267.40

[a] Figures for the Secretary of State reported in our last Annual Report have been changed to include Supplementary Estimates and reductions imposed by Treasury Board in 1985–86. Totals have been changed accordingly.

[b] The word "grant" is replaced by "transfer payments" to reflect both grants and contributions.

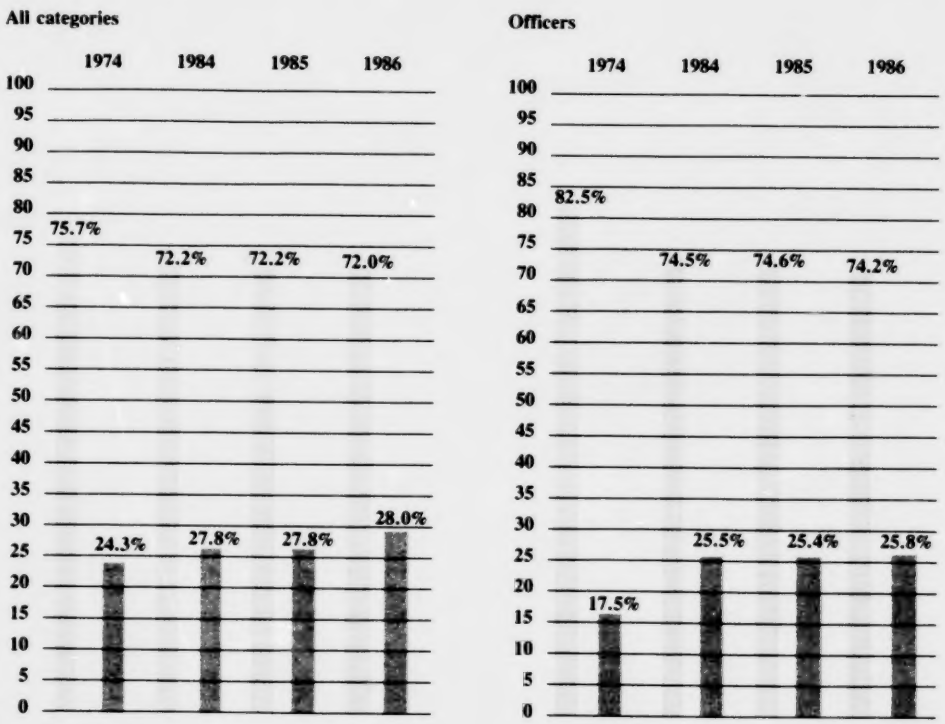
[c] The Translation Bureau is now identified as Official Languages Services.

Sources: Reports from the departments and agencies concerned. With the exception of the Armed Forces, revised estimates for 1986-87 include supplementary estimates and reductions imposed by Treasury Board.

THE TWO OFFICIAL LANGUAGE COMMUNITIES IN THE PUBLIC SERVICE OF CANADA

B.2

Percentage distribution of public servants by first official language[a] — all employment categories and officer categories[b], 1974, 1984, 1985 and 1986



Legend

Anglophones

Note: It is interesting to compare the figures in this table with 1965 statistics published by the Royal Commission on Bilingualism and Biculturalism, even though they refer to public servants' mother tongue rather than their first official language. The representation of Anglophones and Francophones reported by the Commission in all categories at that time was 78.5% and 21.5% respectively.

[a] The Public Service Commission and the Treasury Board define first official language as the official language (English or French) with which an employee feels a primary identification.

[b] Includes the following categories: Management, Scientific and Professional, Administrative and Foreign Service, and Technical.

Sources: Public Service Commission (officer categories) and Treasury Board's Official Languages Information System (all categories).

C.1

SECOND LANGUAGE ENROLMENT IN PUBLIC SCHOOLS, BY PROVINCE[c]

		ELEMENTARY[d] (Core)			
		Total school population	School population having English as the language of instruction (French in Quebec)	Second language[c] Enrolment	%
Newfoundland	1977-78	156,168	93,623	33,585	35.9
	1985-86[r]	142,332	73,700	36,687	49.8
	1986-87[b]	139,371	70,722	36,325	51.4
Prince Edward Island	1977-78	27,491	13,284	7,351	55.3
	1985-86[r]	24,996	10,534	6,089	57.8
	1986-87[b]	24,763	10,381	6,027	58.1
Nova Scotia	1977-78	198,097	100,529	30,025	29.9
	1985-86[r]	172,614	86,164	47,357	55.0
	1986-87[a]	170,800	84,500	46,000	55.4
New Brunswick	1977-78	162,229	49,019	29,563	60.3
	1985-86[r]	141,332	37,737	28,876	76.5
	1986-87[a]	140,400	37,000	28,500	77.0
Quebec (French as a first language.)	1977-78	1,232,678	571,069	211,296	37.0
	1985-86[r]	1,059,445	586,244	238,569	40.7
	1986-87[a]	1,065,500	610,000	244,000	40.7
Quebec (French as a second language.)	1977-78	1,232,678	See Table C.2 (minority language education).		
	1985-86[r]	1,059,445			
	1986-87[a]	1,065,500			
Ontario	1977-78	1,943,064	1,206,205	650,136	53.9
	1985-86[r]	1,769,074	1,023,912	655,133	64.0
	1986-87[a]	1,745,000	998,500	647,000	64.8

SECONDARY[e] (Core)			FRENCH IMMERSION			
School population having English as the language of instruction (French in Quebec)	Second language[c] Enrolment	%	Enrolment	Schools offering immersion	Total number of schools	TOTAL SECOND LANGUAGE ENROLMENT
62,270	34,111	54.8	95	3	708	67,791
66,536	37,692	56.6	2,015	25	607	76,394
66,085	41,183	62.3	2,328	26	600	79,836
13,034	8,332	63.9	541	7	72	16,224
11,458	7,379	64.4	2,492	21	69	15,960
11,253	7,368	65.5	2,692	21	70	16,037
91,545	58,839	64.3	127	3	613	88,991
80,456	53,572	66.6	1,859	23	553	102,788
80,800	54,500	67.5	1,800	23	550	102,300
56,930	37,887	66.6	3,179	34	482	70,629
42,517	28,486	67.0	14,530	100	436	71,892
40,900	27,600	67.5	16,400	110	430	72,500
456,486	456,176	98.0	No English immersion programs exist.			667,472
338,521	331,751	98.0				570,320
330,000	323,000	98.0				567,000
See Table C.2 (minority language education).			17,800	n.a.	2,765	17,800
			18,006	n.a.	2,549	18,006
			18,200	n.a.	2,600	18,200
607,940	220,369	36.2	12,764	160	4,742	883,269
566,155	241,078	42.6	87,819	737	4,840	984,030
558,000	248,300	44.5	97,000	850	4,800	992,300

Continued

			ELEMENTARY[d] (Core)		
		Total school population	School population having English as the language of instruction (French in Quebec)	Second language[c] Enrolment	%
Manitoba	1977–78	221,408	110,831	42,576	38.4
	1985–86[r]	199,013	92,974	47,930	51.6
	1986–87[a]	199,200	91,000	48,200	53.0
Saskatchewan	1977–78	216,716	110,382	4,928	4.5
	1985–86[r]	202,560	107,706	20,034	18.6
	1986–87[a]	205,000	108,000	21,000	19.4
Alberta	1977–78	439,804	216,656	52,435	24.2
	1985–86[r]	448,339	226,844	56,835	25.1
	1986–87[a]	448,300	222,500	59,000	26.5
British Columbia	1977–78	527,769	305,574	75,740	24.8
	1985–86[r]	486,777	275,560	76,042	27.6
	1986–87[a]	469,300	268,000	75,000	28.0
Yukon	1977–78	5,394	3,545	1,346	38.0
	1985–86[r]	4,554	2,594	1,058	40.8
	1986–87[b]	4,805	2,739	1,187	43.3
Northwest Territories	1977–78	12,717	8,801	2,100	23.0
	1985–86[r]	13,470	9,409	2,275	24.2
	1986–87[a]	13,644	9,500	2,380	25.1
TOTAL	**1977–78**	**5,143,535**	**2,789,518**	**1,141,081**	**40.9**
	1985–86[r]	**4,664,475**	**2,533,378**	**1,216,885**	**48.0**
	1986–87[a]	**4,626,109**	**2,512,842**	**1,215,419**	**48.4**

[a] Statistics Canada estimate.

[b] Preliminary figures provided by the Department of Education.

[c] Does not include students for whom the regular language of instruction is English in Quebec and French in the other provinces and territories.

[d] Includes grades K to 6, except Ontario (K–8); British Columbia and Yukon (K-7)

SECONDARY[e] (Core)			FRENCH IMMERSION			
School population having English as the language of instruction (French in Quebec)	Second language Enrolment	%	Enrolment	Schools offering immersion	Total number of schools	TOTAL SECOND LANGUAGE ENROLMENT
100,707	41,376	41.1	1,667	13	724	85,619
87,979	40,464	46.0	12,581	67	713	100,975
88,700	41,700	47.0	14,300	75	710	104,200
104,543	48,469	46.4	407	2	971	53,804
87,682	40,207	45.9	5,965	43	933	66,206
88,800	41,300	46.5	6,900	45	930	69,200
215,899	58,903	27.3	n.a.	n.a.	1,367	n.a.
201,081	64,238	31.9	19,017	121	1,520	140,090
203,000	65,000	32.0	21,300	135	1,530	145,300
220,894	84,069	38.1	1,301	15	1,610	161,110
193,981	98,367	50.7	15,590	123	1,549	189,999
181,800	100,000	55.0	17,700	130	1,545	192,700
1,849	939	50.8	n.a.	n.a.	23	n.a.
1,681	953	56.7	247	1	25	2,258
1,733	988	57.0	291	1	25	2,466
3,916	1,100	28.1	n.a.	n.a.	70	n.a.
3,811	1,435	37.7	250	3	74	3,960
3,920	1,550	39.5	224	3	75	4,154
1,936,013	**1,050,570**	**54.3**	**37,881**	**237**	**14,147**	**3,114,975**
1,681,853	**945,622**	**56.2**	**180,345**	**1,265**	**13,868**	**2,342,852**
1,654,991	**952,489**	**57.6**	**199,111**	**1,419**	**13,865**	**2,367,019**

[e] Includes 7-12, except Ontario (9-13); Quebec (7-11); British Columbia and Yukon (8-12).

[r] Figures revised since publication of the *1985 Annual Report*.

n.a. No figures available.

Note: In previous years the information shown above was presented in two separate tables, numbered B.3 and B.4.

Source: Statistics Canada, Elementary and Secondary Education Division.

C.2

MINORITY LANGUAGE EDUCATION PROGRAMS

Enrolment in programs designed to provide education in their mother tongue (English in Quebec and French elsewhere), to members of the official-language minority groups, grades in which offered and number of schools where offered, for each province and territory, 1970–71, 1985–86 and 1986–87

		Enrolment	Grades	Number of schools
Newfoundland	1970–71	185	k to 10	1
	1985–86[r]	181	k to 10	2
	1986–87[b]	236	k to 11	4
Prince Edward Island	1970–71	796	1 to 12	7
	1985–86[r]	512	1 to 12	2
	1986–87[b]	484	1 to 12	2
Nova Scotia	1970–71	7,388	p to 12	32
	1985–86[r]	4,135	p to 12	22
	1986–87[a]	3,700	p to 12	18
New Brunswick	1970–71	60,679	k to 12	196
	1985–86	46,548	k to 12	154
	1986–87[a]	46,100	k to 12	154
Quebec	1970–71	248,855	k to 11	519
	1985–86[r]	116,674	k to 11	392
	1986–87[a]	107,300	k to 11	370
Ontario	1970–71	115,869	k to 13	381
	1985–86[r]	91,188	k to 13	359
	1986–87[a]	91,500	k to 13	360
Manitoba	1970–71	10,405	k to 12	49
	1985–86[r]	5,479	k to 12	32
	1986–87[a]	5,200	k to 12	32
Saskatchewan	1970–71	765	k to 12	12
	1985–86[r]	1,207	k to 12	17
	1986–87[a]	1,300	k to 12	18

Continued

		Enrolment	Grades	Number of schools
Alberta	1970–71	n/a	n/a	n/a
	1985–86[r]	1,397	k to 11	10
	1986–87[a]	1,500	k to 12	12
British Columbia	1970–71	—	—	—
	1985–86[r]	1,646	k to 11	34
	1986–87[a]	1,800	k to 12	37
Yukon	1970–71	—	—	—
	1985–86[r]	32	1 to 5, 8 to 10	2
	1986–87[b]	42	1 to 6, 8 to 9	3
Northwest Territories	1970–71	—	—	—
	1985–86[r]	—	—	—
	1986–87[a]	—	—	—
TOTAL	**1970–71**	**444,942**		**1,197**
	1985–86[r]	**268,899**		**1,027**
	1986–87[a]	**259,165**		**1,010**

[a] Statistics Canada estimate.

[b] Preliminary figures provided by the Department of Education.

[r] Figures revised since publication of the *Annual Report 1985*.

n/a No figures available.

Note: In previous years this information has been published in table B.5.

Source: Statistics Canada, Elementary and Secondary Education Division.

Language Planning: Canada in the World

After sponsoring three colloquia on various language issues in recent years, in May 1986 our Office jointly organized — with the Canadian Commission for UNESCO, the Department of the Secretary of State, the Francophone Affairs Division of the Department of External Affairs and the Social Science and Humanities Research Council of Canada — an international colloquium on language planning in Ottawa. Our interest stemmed from the conviction that Canada has over the years developed considerable expertise in language planning which it might usefully share with other bilingual or multilingual countries. By the same token, we hoped to benefit from the experience of other countries facing a wide variety of linguistic challenges.

What exactly is language planning? Learned definitions abound, but generally speaking the term refers to government efforts, in areas falling within their jurisdiction, to define the respective status of languages or relations between languages, as well as government action to assess the dynamics of the languages themselves and to influence their evolution.

Even though language planning is a relatively new science, a number of countries in which two or more languages coexist had to become involved in such matters before the expression itself was coined. As a general rule, governments intervene in language issues when they realize they cannot rely on natural forces to maintain the type of linguistic balance they believe essential to the national good. In this day and age, truly unilingual countries are quite rare and contacts between several languages are commonplace; in such instances, the role of the state is, in the words of Sélim Abou, Dean of the Faculté des Lettres et des Sciences Humaines at Saint-Joseph University in Beirut, "to prevent or neutralize the conflict-laden processes that may be produced by a diversity of languages within a single nation, and to promote their co-operative coexistence."

The international colloquium brought together 28 specialists from 20 or so countries on four continents: Asia, Africa, Europe and America. After a general discussion of theoretical considerations and various types of planning strategies, experts presented studies on the linguistic situations of several countries: Belgium, Cameroon, China, Spain, France, Indonesia, Tanzania and Yugoslavia. The

remaining time was devoted to analysing a number of social or administrative issues for which language planning has major implications: government legislation and services in Canada and India; education in the United States, Madagascar, the U.S.S.R. and Canada; the private sector in Quebec; and linguistic support services in international organizations. Several fundamental themes ran through the debate: the ethics and legitimacy of governments using language planning to intervene and set standards; the tendency of such planning to develop theories on the basis of sometimes incomplete data; the inevitable frictions caused by differences between social realities and political priorities; and the occasional gap between theory and practice. One session was devoted to the colloquium's possible repercussions on future work and the general orientations of language planning and, in another, a linguist from the United Kingdom dealt with the spread of English throughout the world and its impact on other languages, especially French. In a closing address, Professor Joshua Fishman of Yeshiva University, New York, summarized the proceedings and discussed their broader implications.

Participants were anxious to ensure that the colloquium would be of lasting value and expressed the wish that the Commissioner of Official Languages in particular take the lead in achieving this objective. In the following weeks the organizing committee examined various suggestions for projects that might enhance Canada's contribution to language planning at the international level. The question also arose whether Canada should not develop and exploit its experience in this field in a more systematic manner and become more active in the role that bilingual and plurilingual countries appear to expect it to play. In this regard, some aspects of the next summit of Francophone countries to be held in Quebec City in September 1987, and the International Congress of Comparative Language Law planned for April 1988 in Montreal will represent useful follow-ups to Canada's contribution to the colloquium, not to mention the meeting of the Commonwealth countries next October.

It is worth remembering that language planning in Canada dates at least from Confederation. In the 1960s, when the Royal Commission on Bilingualism and Biculturalism examined language issues in Canada in great detail, it drew in part on the language policies of other countries: the principles of bilingualism in Belgium, bilingual districts in Finland, the unilingualism of Swiss cantons, and the equality of status of languages in South Africa all contributed.

Much as we have come to depend on the superb analysis of that Commission, we must realize that it is not ageless or infallible. One of the lessons of this colloquium is that we must follow the development of our own language planning regularly and with critical lucidity. It would do Canada no harm at all, and potentially a great deal of good, to invest in a permanent language planning research, documentation, consultation and evaluation capacity — so that, when the time for adjustment comes around, we do not simply improvise but draw inspiration from well-considered and relevant alternatives.

What else did we learn from the colloquium? The dissemination of information on how language planning is dealt with elsewhere enables us to look more objectively at the tensions produced by language issues in Canada and to analyse them more coolly. We can also measure our own successes and failures against the experience of other countries with similar problems. Our Office, with the support of the agencies concerned, will seek to develop a strategy aimed at promoting Canadian expertise in language planning and thus draw maximum benefit from the research of other countries in this field.

By the same token, the colloquium enabled specialists from other countries to gain an insight into the current linguistic situation in Canada. They left with an understanding of the fundamental reasons behind the Official Languages Act, the language reform program that followed its adoption and the progress achieved in such fields as service to the public, official language minority rights, linguistic research, terminology and translation.

Meetings like these are in no sense theoretical or sterile debates on language contact questions. Government intervention is only one of the elements of any sane language regime. To be successful, such a regime must include a number of other elements, the first being that it must be understood and accepted by the public and become an integral part of our daily lives and societal values. In other words, it must transcend the law and the political institutions involved and become part of a larger picture of national conciliation.

If the organizers had one regret, it was that, for financial reasons, they were unable to open the colloquium to the public, which would have enabled more Canadians to participate in this enriching experience. However, the Centre international de recherche sur le bilinguisme of Laval University has been designated to edit the proceedings of the colloquium.

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COMMISSAIRE AUX LANGUES OFFICIELLES
COMMISSIONER OF OFFICIAL LANGUAGES

Sommaire du RAPPORT ANNUEL 1986

La relance promise : l'année du test!

Avant-propos

Notre vœu le plus cher en ce début d'année 1987 est que la dualité linguistique de notre pays soit mieux assurée grâce à l'impulsion nouvelle que le gouvernement s'est engagé à donner à la politique linguistique nationale. Pour insuffler une vie nouvelle à un programme lancé il y a dix-sept ans, il faut en réexaminer l'esprit, les fondements juridiques ainsi que les mécanismes de mise en œuvre. La réforme de notre régime linguistique aura manifestement contribué à sauver le Canada de l'éclatement à une époque où sa cohésion était gravement menacée. Maintenant que les deux ordres de gouvernement s'emploient à ramener le Québec dans la famille constitutionnelle, il ne fait aucun doute à nos yeux que le renouveau du programme des langues officielles aidera les Canadiens à vivre en meilleure harmonie.

Convaincus que l'égalité réelle du français et de l'anglais ne peut s'accommoder de la tiédeur de beaucoup d'hommes et de femmes politiques et de fonctionnaires qui ont pour mission de la garantir, nous avons fait, au cours des deux dernières années, diverses propositions en vue de mettre à jour la *Loi sur les langues officielles*, et d'en favoriser l'application diligente. En 1986, cependant, malgré un certain nombre d'initiatives louables, le programme des langues officielles s'est contenté de faire du sur place, tandis que le gouvernement s'interrogeait sur les moyens de concrétiser l'égalité linguistique.

Pour notre part, nous avons mis tous nos soins à remplir notre mission d'observation et de réflexion. Impatients, bien sûr, nous l'avons été, d'autant plus qu'on avait déjà pu observer un évident laisser-aller avant l'arrivée au pouvoir du gouvernement actuel. Il y a malgré tout de bonnes raisons d'espérer : l'opinion publique semble nettement devancer la plupart des gouvernements ; le Comité mixte permanent a manifesté un vif intérêt pour chacune des facettes du problème ; et, sous l'impulsion du Premier ministre, on a consacré beaucoup d'efforts à la préparation d'un nouvelle *Loi sur les langues officielles* qui serait soumise au Parlement dans un proche avenir. Enfin, même les secteurs privé et volontaire semblent plus disposés que jamais à offrir leurs services dans les deux langues.

Au-delà d'une explicitation de ce que doit être l'égalité du français et de l'anglais, d'une définition plus précise des objectifs poursuivis et de moyens plus efficaces d'en assurer le respect, la nouvelle loi devra comporter des garanties positives en faveur de nos minorités de langue officielle. Tout cela restera toutefois insuffisant si l'on ne consacre pas à la réforme les crédits nécessaires. L'année 1987 se présente donc comme celle du test. Et pas seulement pour notre gouvernement fédéral, mais pour tous ceux et celles qui estiment que la réconciliation nationale est une donnée essentielle de notre devenir collectif.

Le Commissaire aux langues officielles,

D'Iberville Fortier

PARTIE I. LES PARTENAIRES

La scène canadienne

Quel est notre diagnostic pour l'année écoulée ? Sans doute faudrait-il répondre : « Ça aurait pu être pire. » A quelques louables exceptions près, les organismes fédéraux se sont contentés cette année de marquer le pas. Ce qui importe maintenant, c'est d'en arriver à une nouvelle *Loi sur les langues officielles* qui intègre, en les élargissant, les vertus de la première, et qui favorise l'Entente cordiale entre nos deux collectivités linguistiques.

Bien que la Loi actuelle ait permis de nombreux changements, à la fois sur le plan du comportement institutionnel et des attitudes du public, son application n'a pas toujours été des plus efficaces, et elle nous paraît aujourd'hui d'une portée insuffisante. Aussi nous réjouissons-nous de ce que le gouvernement ait promis d'établir « un nouveau cadre législatif » pour une « nouvelle politique globale des langues officielles », qui permettrait notamment d'accroître sa collaboration avec les provinces. Cependant, la lenteur que l'on met à réaliser ces promesses n'a guère facilité la marche des programmes linguistiques au sein de la Fonction publique ou des projets entrepris en collaboration avec divers intervenants en dehors du gouvernement fédéral. Les mesures concrètes adoptées en 1986 ne sont pas très impressionnantes, compte tenu du caractère de plus en plus urgent des besoins, et ne laissent guère présager de changements en profondeur pour l'avenir : nous en sommes encore à nous demander si le bilinguisme officiel parviendra à sortir des ornières dans lesquelles il s'est enlisé.

La Loi révisée devra être conforme à notre nouvelle réalité constitutionnelle en ce qu'elle touche la dualité linguistique du Canada. Elle devra aussi réaffirmer les principes de l'égalité linguistique établis par la Résolution parlementaire de 1973 (le service au public, la langue de travail et la pleine participation) ; offrir des moyens efficaces d'en assurer le respect lorsque les autres recours se sont avérés inefficaces ; et affirmer clairement notre engagement envers les minorités francophone et anglophone du pays. De plus, comme nous le soulignons depuis 1984, on doit veiller avec soin à ce que la privatisation d'organismes fédéraux n'entraîne aucune diminution des services bilingues au public : cette question étant de plus en plus brûlante, on doit formuler sans plus tarder les garanties juridiques qui s'imposent.

En soumettant au Gouverneur en conseil, vers la fin de l'année, trois rapports spéciaux portant sur les principales composantes de l'égalité linguistique, nous avons voulu donner au gouvernement l'occasion de régler certains problèmes de longue date ou, s'il ne peut le faire au moyen des règles en vigueur, de modifier la Loi en conséquence.

En attendant, la législation actuelle en matière linguistique a pour effet de susciter un nombre sans précédent d'appels aux tribunaux. Il est malheureux qu'on leur demande si souvent de résoudre des conflits qui pourraient l'être de façon plus humaine et moins coûteuse — à condition que les gouvernements soient disposés à agir — par voie de négociation.

Sur le plan linguistique, certaines provinces ont volé la vedette au gouvernement fédéral cette année. Ainsi, l'étapisme ontarien nous a réservé une très agréable surprise : le gouvernement a accordé de nouvelles garanties juridiques touchant les services provinciaux et l'enseignement en français. Si le Québec a également pris certaines mesures louables visant sa minorité anglophone, on a cependant relancé le débat concernant les effets sur la langue française de la reconnaissance institutionnelle de l'anglais.

Si l'on s'est efforcé d'obtenir des provinces qu'elles s'emploient plus activement à la mise en œuvre des dispositions de la Charte touchant les droits scolaires des minorités (article 23), la plupart ont hélas fait la sourde oreille. Cela ne correspond guère à l'idée que l'on se fait d'un Canada éclairé pouvant servir d'exemple au monde entier. Il incombe donc aux Canadiens de faire savoir à certains dirigeants provinciaux que leur comportement n'est pas digne de notre pays.

Par contre, les initiatives du secteur privé sont encourageantes : les associations d'entreprises, de même que les associations volontaires, sont de plus en plus nombreuses à découvrir les avantages du bilinguisme, à chercher l'aide du gouvernement et à vouloir partager leurs connaissances en ce domaine, notamment sur le plan technologique. Rappelons cependant qu'il y a aussi loin de la coupe aux lèvres que de l'énoncé d'une politique à la prestation de services bilingues à l'échelle locale.

La politique nationale des langues officielles bénéficie d'un appui populaire de plus en plus large, et le gouvernement semble disposé à lui accorder un plus haut degré de priorité. Comment se fait-il alors que nous y affections moins d'argent qu'à tout autre dossier d'importance comparable ? Les 250 millions de dollars que l'on consacre chaque année au bilinguisme dans l'administration fédérale peuvent sembler généreux, mais il s'agit en réalité du minimun requis ; quant au montant équivalent que l'on accorde à l'enseignement dans les deux langues officielles et au soutien des minorités, il est de plus en plus insuffisant. Nous risquons fort de détruire, par un tel sous-financement, un aspect essentiel de notre personnalité nationale.

Les droits linguistiques

En 1986, la Cour suprême du Canada a rendu trois décisions importantes au

chapitre des droits linguistiques. D'abord, elle a statué que la *Loi constitutionnelle de 1867* et la *Loi de 1870 sur le Manitoba* garantissent les droits linguistiques des justiciables, des avocats, des témoins, des juges et des autres officiers de justice, mais non ceux des parties à qui on adresse les sommations. D'autre part, elle a affirmé que le droit de parler français ou anglais dans une cour de justice ne garantit pas en soi que l'on sera compris dans la langue choisie ; le droit de comprendre la procédure et d'être compris serait semble-t-il un droit général en vertu de la *common law*, et non un droit linguistique. Un juge dissident s'est demandé quelle sorte de justice cela représentait. C'est là toute la question, en effet, mais il faudra beaucoup de volonté politique et de coopération pour changer les règles du jeu.

Par ailleurs, on attend toujours la décision des tribunaux en ce qui a trait aux droits résiduels du français devant les cours de justice et les assemblées législatives en Saskatchewan et en Alberta. Il s'agit de déterminer si l'article 110 de l'ancienne *Loi des territoires du Nord-Ouest* a été rescindé formellement en droit au moment de la création des deux provinces en 1905, ou si l'on doit respecter aujourd'hui les droits linguistiques qui en découlent. La controverse n'a rien d'académique puisqu'elle porte sur la définition géographique de l'aire d'application du bilinguisme canadien.

En attendant, les tribunaux sauront, espérons-le, continuer à donner à l'article 23 de la Charte sur les droits à l'instruction dans la langue de la minorité son sens le plus large afin d'en respecter le caractère dynamique et d'en assurer une mise en œuvre efficace. Mais c'est d'abord aux législateurs qu'il incombe aujourd'hui d'agir pour faire reconnaître ce droit, si l'on entend véritablement faire croître l'arbre de la dualité linguistique. Par ailleurs, une politique mieux adaptée aux besoins de nos minorités pourrait découler d'analyses conjointes visant la diffusion, dans les régions bilingues du pays, de services régionaux et municipaux dans les deux langues officielles : le gouvernement fédéral doit donc s'employer à favoriser la concertation nécessaire entre tous les intéressés.

Dans la mesure où les tribunaux semblent peu enclins à donner aux dispositions linguistiques de la Constitution canadienne une interprétation dynamique, la protection concrète des droits des minorités dépendra largement, dans les années à venir — en attendant des amendements constitutionnels — de la bonne volonté du Parlement et des dirigeants provinciaux. Il faudra bien, un jour ou l'autre, aborder ces questions de façon plus concertée, peut-être au moyen d'une conférence fédérale-provinciale.

Politique et programmes

La coordination — au sein du gouvernement fédéral, entre celui-ci et les provinces,

entre les gouvernements et les divers intervenants — est la condition *sine qua non* du succès de la politique linguistique nationale. Pour être efficace, un système de coordination doit comporter un cadre général, un mandat plus explicite pour les agences centrales, une continuité des efforts institutionnels ainsi que la soumission régulière de rapports complets aux autorités élues.

La tendance, manifestée depuis 1982, à déléguer une plus grande part de la gestion linguistique aux organismes particuliers, et à intégrer certains aspects spécialisés de cette gestion aux autres activités administratives, a fait en sorte qu'on ne sait plus très bien en fin de compte qui est responsable de quoi. Une étude portant sur la responsabilité en matière de langues officielles a fait ressortir quatre grandes conclusions : 1) l'engagement personnel et l'exemple des sous-ministres est un des facteurs clés du progrès ; 2) la délégation des responsabilités et l'intégration des tâches linguistiques sont d'une efficacité extrêmement variable ; 3) le contrôle et la vérification n'ont pas la portée nécessaire ; 4) malgré le recours aux protocoles d'entente établissant la responsabilité des principaux gestionnaires, il arrive encore trop souvent que les échecs en cette matière ne suscitent ni commentaires ni sanctions.

Compte tenu de ce qui précède, et de la nécessité d'une mise en œuvre dynamique de la nouvelle *Loi sur les langues officielles*, le Commissaire se demande s'il est opportun de poursuivre l'intégration de la gestion linguistique aux activités courantes des ministères. Ce n'est certes pas avec des diminutions de personnel spécialisé de l'ordre de 10 à 75 p. 100 selon les cas qu'on parviendra à accroître la responsabilité au sein du système ou à donner une nouvelle impulsion à la réforme.

On a apporté en 1986 certains changements aux normes régissant la formation linguistique, la traduction et la prime au bilinguisme. Ainsi, le Conseil du Trésor a fait savoir que les récipiendaires de la prime subiraient régulièrement un test de confirmation afin de s'assurer qu'ils la méritent toujours. Le système sera donc plus équitable, même s'il ne sera guère moins coûteux dans l'ensemble ; en outre, il faudra veiller avec soin à ce qu'il n'y ait aucune réduction des services ou de l'encadrement bilingues. Les nouvelles directives touchant la formation linguistique (qui entreront en vigueur en 1987) mettent l'accent, avec raison, sur la motivation individuelle et sur la nécessité de développer la capacité institutionnelle ; il faudra cependant y joindre des mesures visant à stimuler la *demande* en matière de bilinguisme, sans quoi la formation linguistique nouvelle manière risque de se révéler inefficace.

Au Service des langues officielles[1], on a fixé une limite au volume de la traduction, et à toutes fins utiles gelé le budget : le Service continue donc de traduire

[1] Autrefois le Bureau des traductions.

chaque jour l'équivalent d'une Bible et demie, et ce avec moins de traducteurs permanents et sans augmentation de crédits. Or il semblerait que la demande réelle en cette matière augmente ; il faudra donc à brève échéance y injecter de nouveaux fonds, ou revoir les priorités. A notre avis, le Service devrait donner la préséance au Parlement et au public ; on pourrait entreprendre en même temps — mais sans pousser les choses à l'extrême — de diminuer le volume de la traduction aux fins internes de façon à favoriser davantage le bilinguisme réceptif.

L'importance d'une gestion de la plus haute qualité pour la difficile réforme qui s'annonce nous amène à formuler les observations suivantes : pour relancer véritablement le programme, il faudra coordonner de façon suivie tous les aspects conceptuels de la gestion, et mettre en place une équipe dynamique qui aurait pour tâche d'interpréter le message au profit de ceux et celles qui se trouvent sur la ligne de feu ; d'autre part, cette relance, pour être efficace, exigera que l'on débloque des crédits supplémentaires — notamment en ce qui concerne l'enseignement — et que l'on réitère notre engagement sur le plan des ressources humaines.

Le Comité mixte permanent

Le Comité s'est penché cette année sur les grandes questions relatives à la politique linguistique, notamment en ce qu'elle touche les minorités francophone et anglophone. A cet effet, il a entendu les porte-parole des minorités, et consulté des spécialistes du droit, de la démographie et des sciences de l'éducation. D'autre part, il a convoqué les représentants de certains grands organismes gouvernementaux afin qu'ils expliquent les raisons qui les empêchent de se conformer pleinement à la *Loi sur les langues officielles* et de satisfaire, dans certains cas, aux normes minimales atteintes ou dépassées par la plupart des autres organismes fédéraux. On les invitera à comparaître une deuxième fois quelque six mois plus tard, et au besoin une troisième fois, pour faire le point sur les progrès accomplis.

PARTIE II. L'ÉGALITÉ LINGUISTIQUE EN TROIS DIMENSIONS

Service au public

Si les autorités fédérales peuvent être fières des progrès réalisés depuis 1969 sur le front de la langue de service, nous somme hélas encore loin, dans la vie de tous les jours, de l'égalité de statut, de droits et de privilèges du français et de l'anglais. Dans son Rapport annuel de 1984, le Commissaire formulait une série de propositions au sujet de l'offre active de services bilingues au public. En 1986, cependant, la prestation de ces services souffrait encore de graves lacunes dans

nombre d'organismes fédéraux et dans plusieurs régions. Le nombre de plaintes concernant ces déficiences est passé de 913 en 1985 à 1 583 cette année, soit une augmentation de 73 p. 100. (Ces chiffres ne tiennent pas compte des 1 784 plaintes portées contre le Service canadien du renseignement de sécurité, lequel constitue un cas à part.)

Nous recommandons une fois de plus au gouvernement de préciser, en faisant preuve de générosité, les notions de « demande importante » et de « vocation du bureau » contenues dans la Charte, et d'assurer que l'offre active de services de qualité soit vigoureuse et soutenue. En outre, il devrait mettre en œuvre un programme d'information destiné à tous les employés fédéraux en contact avec le public, en mettant notamment à leur disposition un guide traitant de l'offre active de services. Enfin, il devrait voir à ce que, d'ici trois ans, chaque bureau fournissant des services au public compte en tout temps au moins un employé vraiment bilingue.

La pleine participation

Si le gouvernement est parvenu à établir au sein de l'administration un taux de participation des francophones et des anglophones qui correspond approximativement à l'équilibre national des deux groupes linguistiques, tous les secteurs et tous les échelons n'en ont pas encore ressenti les effets. Ainsi, les anglophones sont toujours sous-représentés au Québec, tout comme les francophones, à un degré moindre, au Nouveau-Brunswick et dans le nord de l'Ontario. De plus, les taux de participation varient énormément d'un ministère ou d'un organisme à l'autre, et selon les catégories d'emploi.

Parmi ses recommandations touchant la révision de la *Loi sur les langues officielles*, le Commissaire a suggéré d'y ajouter un préambule qui renforcerait le principe de la pleine participation. En effet, une certaine confusion règne quant à l'objet de la politique en ce domaine et à ses critères de mise en œuvre. L'exemple de la GRC est éloquent à cet égard. Invoquant la distribution géographique de ses effectifs ainsi que ses responsabilités provinciales et municipales, celle-ci a tenté de subordonner à ses exigences opérationnelles les principes et les règles de la Résolution parlementaire de 1973 : elle a réduit le taux visé de participation des francophones de près de 21 p. 100 à quelque 12 à 15 p. 100, ce qui est nettement insuffisant.

Nous recommandons au Secrétariat du Conseil du Trésor et la Commission de la Fonction publique de déterminer, de concert avec les ministères et organismes, des paramètres en matière de participation qui tiennent compte de leur situation particulière, et de fixer des objectifs réalistes et généreux pour les trois prochaines années. Ils devront également intensifier leurs efforts

en ce qui a trait à la planification des ressources humaines et à la dotation des postes dans la catégorie Gestion en vue d'assurer une meilleure répartition des deux groupes linguistiques aux échelons supérieurs de la Fonction publique.

La langue de travail

Le principe de la langue de travail peut se résumer ainsi : dans les régions bilingues, les fonctionnaires fédéraux devraient avoir la possibilité de travailler dans leur langue officielle d'élection — en autant que l'obligation de servir le public dans les deux langues est respectée. Malheureusement, cet objectif est loin d'avoir été atteint.

D'après les francophones et les anglophones interrogés, les principaux obstacles à l'égalité des deux langues au travail seraient les suivants : dans les réunions où les deux groupes linguistiques sont représentés, les francophones se sentent obligés de s'exprimer en anglais ; en présence de hauts fonctionnaires, les réunions se tiennent en anglais ; les francophones sont souvent perçus comme des locuteurs anglophones par leurs collègues de langue anglaise ; la quasi-totalité des documents de travail sont préparés et traités en anglais ; et la terminologie spécialisée fait de l'anglais une langue indispensable.

Le gouvernement n'a toujours pas adopté de stratégie efficace pour éliminer ces préjugés bureaucratiques. Parmi les recommandations du Commissaire à cet égard, mentionnons les suivantes : les réunions de la haute direction devraient se dérouler dans les deux langues ; une disposition obligeant à créer un milieu propice à l'usage du français devrait être intégrée à l'énoncé des objectifs de tous les gestionnaires afin qu'ils aient à rendre compte de leur rendement en ce domaine ; les divers aspects du principe de la langue de travail — encadrement bilingue, tenue des réunions, évaluation du rendement, etc. — devraient faire l'objet d'un programme de formation ; et les postes de direction désignés bilingues « impératifs » devraient dorénavant être pourvus, sans exception, de candidats bilingues.

PARTIE III. L'ÉGALITÉ LINGUISTIQUE DANS LES INSTITUTIONS FÉDÉRALES

Cinquante joueurs

Trois critères ont présidé au choix des organismes fédéraux dont le rendement linguistique est analysé dans le Rapport : certains ont fait l'objet en 1986 d'une vérification ou d'un suivi ; d'autres offrent au public canadien à travers le pays des services particulièrement importants ; d'autres enfin sont essentiels au fonctionnement de l'appareil gouvernemental.

Des cinquante organismes que nous évaluons cette année, un certain nombre n'ont pas progressé en 1986, ou alors très peu : Affaires des anciens combattants, Affaires indiennes et du Nord canadien, Agriculture, Chemins de fer nationaux, CRTC, Conseil des Arts, Cour suprême, Environnement, Pêches et Océans, Pétro-Canada, Sénat et Travaux publics.

Le ministère des **Affaires extérieures** a marqué plusieurs points cette année ; cependant il lui reste encore des problèmes à résoudre quant à l'usage du français au travail et à la gestion du programme des langues officielles. En effet, on ne peut guère qualifier que de passables ses efforts visant à promouvoir l'usage des deux langues au travail, et de nombreux surveillants ne satisfont pas aux exigences linguistiques de leur poste.

La situation linguistique d'**Air Canada** a connu peu de changements en 1986 ; la Société continue de progresser, mais lentement, sur le plan du service au public. Une mention spéciale doit toutefois lui être accordée pour son excellente performance linguistique lors d'Expo 86. Par contre, le programme des langues officielles dans son ensemble trouve difficilement sa place parmi les priorités de la direction.

Dans l'ensemble, le ministère des **Approvisionnements et Services** s'acquitte consciencieusement de ses obligations linguistiques envers sa clientèle.

La **Banque du Canada** continue de progresser grâce à un programme énergique de contrôle et d'innovation. Tout en maintenant l'excellence de ses services en 1986, elle a lancé de nouvelles activités visant à promouvoir l'usage du français au travail. Son programme des langues officielles est bien intégré aux responsabilités des gestionnaires et bénéficie grandement de l'engagement manifeste de la haute direction.

La **Banque fédérale de développement** s'est efforcée cette année de tirer un meilleur parti de ses ressources bilingues. Elle pourrait cependant améliorer sa capacité bilingue en établissant plus clairement les exigences linguistiques de ses postes. La Banque marque des points au chapitre du bilinguisme pour ce qui est de l'affichage, de l'accueil téléphonique ou en personne, de la documentation et de la correspondance avec ses clients. La publicité postale destinée aux clients potentiels est bilingue, et la Banque publie régulièrement des annonces dans la presse minoritaire.

Le **Bureau du Conseil privé** a amélioré en 1986 son programme des langues officielles, déjà bien établi ; il peut donc s'attaquer aux quelques problèmes qui demeurent en ce qui a trait à la participation.

Le **Cabinet du Premier ministre** a su corriger avec diligence les quelques faiblesses notées dans notre dernier rapport annuel. On note des progrès sur le plan de la langue de travail, grâce notamment à l'amélioration de la capacité bilingue parmi le personnel d'encadrement.

L'Administration de la **Chambre des communes** a une fois de plus amélioré son programme des langues officielles, et ses efforts pour promouvoir l'utilisation du français au travail ont connu un modeste succès. Cependant certains cours ne sont toujours pas offerts en français, et l'anglais continue de prédominer dans les réunions. D'autre part, le taux de participation global des anglophones demeure trop faible.

La **Commission de la Capitale nationale** fait preuve d'un bilinguisme exemplaire dans ses affiches, ses publications et ses services au public. Cependant, l'usage du français comme langue de travail laisse toujours à désirer, et ce en dépit d'une trop forte participation francophone dans toutes les catégories sauf celle de la Gestion.

A la **Commission de la Fonction publique**, le respect des obligations en matière de langues officielles coule toujours de source. En 1986, le service au public a été offert activement dans les deux langues et, dans les régions bilingues, les employés ont pu travailler dans leur langue d'élection. Par contre, on n'a toujours pas relevé le faible taux de participation des anglophones dans la catégorie Soutien administratif ; ceux-ci ne constituent d'ailleurs qu'environ 37 p. 100 de l'ensemble du personnel. Autre problème tenace : même si tous les cours existent dans les deux langues, la proportion offerte en français est des plus modestes.

Le ministère des **Communications** se remet lentement d'une importante réorganisation qui a rendu difficile, cette année, le maintien de ses acquis en matière de langue de service. Il continue d'encourager une utilisation équitable des deux langues officielles en informant régulièrement les employés et les surveillants de leurs droits et obligations en cette matière.

Le comportement du Secrétariat du **Conseil du Trésor** en matière linguistique paraît satisfaisant : il offre un service bilingue au public et, fait qui vaut d'être souligné, 92 p. 100 des 565 titulaires de postes bilingues satisfont aux exigences prescrites. Par contre, il n'est toujours pas venu à bout de ses problèmes en matière de langue de travail : le français reste peu employé lors des réunions et dans les documents internes ; en outre, il y a toujours des déséquilibres sectoriels sur le plan de la participation des deux groupes linguistiques.

A **Consommation et Corporations Canada**, la situation s'est quelque peu améliorée depuis notre dernier examen complet en 1981. Dans les régions où la demande est importante, le Ministère offre maintenant de façon plus active

ses services dans les deux langues officielles, et il a fait un petit pas dans la bonne direction en ce qui a trait à la participation équitable des deux groupes linguistiques. Par contre, l'usage du français au travail constitue son talon d'Achille.

La situation linguistique au Bureau du **Contrôleur général** n'a guère évolué depuis 1985. Il dispose toujours d'une bonne capacité bilingue, mais il n'offre pas activement ses services dans les deux langues à ses organismes clients. Le français reste peu employé en milieu de travail en raison de la très faible représentation des francophones parmi les membres de la catégorie Gestion, lesquels constituent près de la moitié des effectifs. Le Bureau a intégré ses objectifs en matière de langues officielles à son plan des ressources humaines, mais les gestionnaires ne sont pas suffisamment informés à cet égard, et aucune mesure n'a encore été prise pour contrôler la mise en œuvre du programme.

Au ministère de la **Défense nationale**, le français est demeuré le parent pauvre en 1986. Une montagne de documents techniques unilingues anglais et une pléthore de titulaires anglophones de postes militaires désignés bilingues constituent une sérieuse entrave à la mise en œuvre de la politique des langues officielles du Ministère. La création d'un programme destiné à former un corps d'officiers bilingues lui permettra peut-être de gagner ses galons linguistiques, mais la bataille est loin d'être gagnée. Il est difficile, voire impossible, pour les francophones d'obtenir une formation militaire spécialisée dans leur langue. Enfin, chez les civils, la participation francophone demeure inchangée à 20 p. 100.

Dans l'ensemble, la **Commission de l'emploi et de l'immigration** est demeurée dans le peloton de tête des organismes fédéraux en ce qui a trait aux questions linguistiques. Sa gestion du programme des langues officielles est excellente, mais elle a toutefois éprouvé quelques ratés sur le plan du service au public dans les régions. Par ailleurs, elle s'est attaquée au problème de la langue de travail à l'administration centrale. La participation des deux groupes est généralement bien équilibrée mais on a de la difficulté, en raison de la mauvaise planification des années précédentes et des restrictions actuellement imposées au recrutement externe, à améliorer la participation des anglophones au Québec, lesquels constituent à peine 2,5 p. 100 de l'effectif.

Si le ministère de l'**Énergie, des Mines et des Ressources** a constitué un comité consultatif chargé de résoudre les problèmes en matière de participation, il n'a réalisé dans l'ensemble que des progrès timides. Il éprouve encore des difficultés à respecter ses obligations linguistiques envers le public : quelque 20 p. 100 de sa clientèle s'est déclarée insatisfaite à cet égard. D'autre part, les graves déséquilibres dans la représentation des deux groupes aux divers échelons de la hiérarchie font en sorte que le français continue d'occuper une place insuffisante en tant que langue de travail, sauf au Québec : les francophones constituent en

effet à peine 11 p. 100 de la catégorie Gestion. Bien que la haute direction n'éprouve aucune difficulté à communiquer dans les deux langues, il faudra consentir des efforts importants pour accroître la participation francophone au sein de ce ministère où la prédominance de l'anglais est une tradition bien établie.

Si la **Gendarmerie royale du Canada** a à son actif quelques initiatives louables en 1986, certaines des mesures prises cette année risquent de faire reculer l'objectif de l'égalité linguistique. En effet, la nouvelle politique qu'elle se propose d'adopter en matière de participation et de langue de travail viendra freiner encore davantage les progrès déjà lents en ce domaine. S'il est vrai qu'une partie importante des effectifs de la GRC est concentrée dans l'Ouest et assume des responsabilités provinciales et municipales, cela ne justifie pas que l'on abaisse à 12 ou à 15 p. 100 l'objectif de la participation francophone : une telle mesure contrevient au principe même de la Loi et de la *Charte canadienne des droits et libertés*. Appelée par le Comité mixte des langues officielles à justifier ses retards à appliquer la Loi, la GRC n'a pas su lui fournir d'explications satisfaisantes, et elle devra comparaître de nouveau au début de 1987. Par ailleurs, nous notons avec plaisir que la grande majorité des gendarmes spéciaux engagés pour assurer la protection des ambassades et la sécurité dans les aéroports parlent les deux langues et que, dans les régions bilingues, près de 60 p. 100 des postes bilingues comblés au cours de l'année l'ont été par des candidats possédant déjà les deux langues.

La Résidence du **Gouverneur général** a enregistré des progrès cette année aux chapitres du service au public et de la langue de travail. Rideau Hall ne s'est pas encore doté d'une politique ni de directives précises en matière de langues officielles mais il s'est engagé à le faire au plus tard au début de 1987.

Le ministère de la **Justice** a adopté en 1986 une nouvelle politique des langues officielles. A quelques exceptions près, le client est servi dans sa langue officielle d'élection ; la participation des deux groupes linguistiques est satisfaisante dans l'ensemble ; et si le français ne jouit pas encore d'un statut égal à l'anglais comme langue de travail, il a cependant marqué des points.

La situation linguistique aux **Musées nationaux** du Canada n'a pas progressé depuis notre dernier examen en 1979. Les Musées éprouvent encore certaines difficultés à servir adéquatement leur public dans les deux langues officielles, le français n'occupe toujours pas la place qui lui revient en tant que langue de travail, et la participation des deux groupes linguistiques n'est pas plus équitable qu'en 1984. La gestion des langues officielles ne constitue manifestement pas une priorité des Musées nationaux.

L'**Office national du film** a encore amélioré son programme des langues officielles cette année. Il continue de faire de son mieux pour servir le public dans les deux

langues officielles, et traite le français et l'anglais sur un pied d'égalité en tant que langues de travail.

Le ministère du **Revenu national (Douanes et Accise)** a marqué des points au chapitre des langues officielles en 1986. Il a amélioré la qualité de son service au public dans les deux langues, modifié son programme afin de permettre aux employés de travailler dans leur langue d'élection et maintenu des taux de participation appropriés.

La performance du ministère du **Revenu national (Impôt)** a été plus modeste. S'il a accru sa capacité de répondre aux demandes de renseignements des contribuables dans la langue appropriée dans plusieurs de ses 30 bureaux de district, il a consenti peu d'efforts pour résoudre les problèmes linguistiques liés à ses programmes de vérification et de recouvrement. D'autre part, on ne constate guère de progrès au chapitre de la langue de travail, le français n'occupant toujours pas la place qui lui revient au sein du Ministère.

Le ministère de la **Santé nationale et du Bien-être social** a marqué plusieurs points en 1986, mais il n'a pas réussi à régler certains problèmes chroniques. Bien que le service au public se soit amélioré à plusieurs égards, la capacité bilingue présente de graves déficiences dans certaines régions. Le français n'est utilisé comme langue de travail qu'au Québec et dans quelques divisions de l'administration centrale : ailleurs, c'est l'anglais qui prime. Enfin, la participation francophone est faible dans toutes les régions, sauf au Québec, au Nouveau-Brunswick et dans la région de la Capitale nationale.

Le **Secrétariat d'État** affiche cette année encore une performance linguistique quasi impeccable, la sous-représentation des anglophones constituant sa seule faiblesse en ce domaine.

La situation linguistique déplorable que nous notions l'an dernier au sein du **Service canadien du renseignement de sécurité** est demeurée inchangée durant la première partie de l'année, mais le Service a amorcé une belle remontée dans les derniers mois de 1986. Les progrès les plus importants touchent la gestion même du programme ainsi que les communications entre l'administration centrale et la région du Québec. En effet, des plaignants avaient porté à notre attention quelque 1 700 télex unilingues anglais envoyés à cette région au cours des six premiers mois de l'année. Des directives très fermes ainsi qu'un contrôle plus rigoureux ont donc été mis en place, et le nombre d'infractions a diminué de façon importante.

Le **Service correctionnel** du Canada a subi d'importants changements en 1986, mais il n'a guère progressé en ce qui a trait à la prestation de services bilingues aux détenus et au statut du français en tant que langue de travail. La participation

globale des deux groupes linguistiques continue d'être assez bien équilibrée, sauf dans certaines régions. Par ailleurs, le Service devrait revoir son système de gestion des langues officielles afin de rendre plus efficace la mise en œuvre du programme.

La **Société canadienne des postes** semble avoir atteint un plafond en matière linguistique. Si le service au public et la gestion du programme des langues officielles se sont quelque peu améliorés, le français au travail et la participation des deux groupes linguistiques font toujours problème. La Société devrait insister davantage sur les questions linguistiques lors de ses négociations avec les syndicats afin de mieux contrôler l'embauche, l'établissement des horaires et l'affectation du personnel bilingue.

L'année 1986 a été fort chargée pour **Statistique Canada** en raison du recensement quinquennal. Dans l'ensemble, le Bureau s'est bien acquitté de ses obligations linguistiques envers le public, que ce soit au cours du recensement ou dans ses autres activités. De plus, il a accru ses efforts en vue de permettre un usage plus équitable du français et de l'anglais au travail.

Le ministère des **Transports** a consacré cette année beaucoup plus de temps et d'énergie à faire des sondages qu'à améliorer son rendement linguistique, pourtant modeste. L'affichage continue d'être déficient dans plusieurs aéroports, et les services assurés par les concessionnaires ne répondent pas aux attentes linguistiques des voyageurs. Par ailleurs, on ne signale aucun progrès sensible en ce qui a trait au problème des consignes de sécurité au cours des vols.

La relance amorcée l'an dernier au Bureau du **Vérificateur général** a progressé lentement en 1986. Si la haute direction du Bureau estime importante la question des langues officielles, elle devra toutefois y sensibiliser ses cadres bien davantage.

Via Rail Canada n'est pas parvenue à faire du français une langue de travail au même titre que l'anglais à son siège social à Montréal ni dans ses établissements au Nouveau-Brunswick. Dans le domaine des communications écrites et téléphoniques, le public est assuré d'être servi dans sa langue. Par contre, il n'y a qu'au Québec que les voyageurs peuvent s'attendre à recevoir des préposés dans les gares et à bord des trains un service de qualité égale en français et en anglais ; ailleurs, un voyageur francophone peut remercier le hasard s'il reçoit un service dans sa langue ou si on lui offre de le diriger vers un collègue bilingue.

PARTIE IV. LES MINORITÉS : DU MOUVEMENT S.V.P.

La chronique minoritaire

Les données démographiques du recensement quinquennal de 1986 viendront sans doute confirmer que l'assimilation continue de miner la plupart des communautés

francophones hors du Québec et que le facteur migratoire joue probablement un rôle similaire dans le cas des Québécois anglophones. De toute évidence, il est de plus en plus urgent que les pouvoirs publics et les autres intéressés agissent de concert pour appuyer nos minorités linguistiques.

En l'absence d'une action vigoureuse de la part des autorités provinciales en vue de protéger la diversité linguistique, les minorités cherchent justice et vont d'un tribunal à l'autre. Faisant appel à la notion d'égalité devant la loi consacrée par l'article 15 de la Charte, plusieurs associations minoritaires ont demandé la mise en œuvre rapide et systématique de la partie XIV(1) du *Code criminel*, qui donne le droit à un accusé de comparaître devant un juge ou devant un juge et un jury, qui parlent sa langue. Les tribunaux doivent également se prononcer sur le droit à l'instruction dans la langue de la minorité tel que garanti par la Charte, sur les droits résiduels du français en Alberta et en Saskatchewan, et sur la question de l'affichage commercial bilingue au Québec.

Depuis bien des années déjà, le Québec, l'Ontario et le Nouveau-Brunswick offrent ou cherchent à offrir une gamme complète de services à leur minorité provinciale. Sans être liées par les obligations juridiques à cet égard, les autres provinces canadiennes reconnaissent que la prestation de tels services intéresse vivement leurs citoyens francophones, et s'interrogent sur ce qui pourrait être fait. Le gouvernement fédéral a laissé entendre qu'il serait disposé à mettre au point des mécanismes de collaboration fédérale-provinciale qui favoriseraient la prestation dans la langue de la minorité d'une gamme de services essentiels, tels les services sociaux et de santé, mais il n'a guère adopté de mesures concrètes à cet effet. Les associations minoritaires, pour leur part, ont eu l'impression, apparemment bien fondée, de ne pas avoir été véritablement consultées sur des questions qui les touchent au premier chef, par exemple les coupures dans les subventions.

La traduction des lois unilingues du Manitoba va bon train. Quant à l'Ontario, elle a franchi cette année quelques étapes importantes sur le chemin de la reconnaissance du français comme langue officielle : garanties législatives touchant les services en langue française, traduction simultanée à l'Assemblée législative, droits étendus du français devant les tribunaux. Au Québec, par ailleurs, la Cour d'appel a reconnu le pouvoir de la province de légiférer en matière linguistique pour imposer l'usage du français dans l'affichage et les raisons sociales, mais non celui d'interdire l'usage de quelque autre langue, cette interdiction étant contraire à la *Charte canadienne des droits et libertés* et à la *Charte québécoise des droits et libertés de la personne*. Le gouvernement du Québec avait laissé entendre précédemment qu'il comptait proposer des assouplissements en matière d'affichage et revoir la structure des organismes de mise en œuvre de la loi. Le projet de loi visant à fusionner certains de ces organismes ainsi que la question

de l'affichage ont suscité un vif débat public sur l'équilibre linguistique au Québec. En décembre, l'Assemblée nationale adoptait une loi importante qui reconnaissait, pour la première fois sans doute dans l'histoire de la province, le droit des Québécois d'expression anglaise à des services sociaux et de santé dans leur langue.

Le Comité consultatif sur les langues officielles du Nouveau-Brunswick a déposé son rapport à l'Assemblée provinciale en juin. Bien que le gouvernement se soit engagé à faire plus et mieux pour assurer l'égalité du français et de l'anglais dans la province, il a rejeté la plupart des recommandations du comité. Ainsi, après des années de consultation, on ne savait toujours pas clairement, à la fin de l'année, quelles mesures concrètes seraient adoptées.

De toute évidence, la situation d'un grand nombre de communautés minoritaires demeure précaire et on ne semble pas disposer de tous les moyens nécessaires pour renverser les tendances. Il y a pourtant de l'espoir : de plus en plus de Canadiens reconnaissent qu'il est urgent de donner chair à l'égalité linguistique proclamée si fièrement dans la Charte, et certains gouvernements semblent disposés à collaborer pour donner une chance aux minorités.

La radiotélévision

Voilà plusieurs années que les communautés minoritaires déplorent la centralisation excessive du système canadien de télédiffusion ; les francophones à l'extérieur du Québec, en particulier, réclament des émissions de qualité qui correspondent réellement à ce qu'ils sont. Deux événements survenus en 1986 ont toutefois mérité l'approbation générale : la création de la chaîne française de TVOntario, et la production par Radio-Canada Atlantique de l'émission *Bonjour Atlantique*, en versions adaptées aux réalités régionales.

Par ailleurs, l'une des principales recommandations du Groupe de travail Sauvageau-Caplan sur la politique de la radiodiffusion touche la création d'un second réseau national, Télé-Canada, qui comporterait une chaîne française et une chaîne anglaise. Le Groupe de travail recommande également que l'on reconnaisse le caractère distinct de la télédiffusion en langue française. D'autre part, les groupes minoritaires ont accueilli plutôt fraîchement la recommandation de concentrer la production locale dans l'est du Canada, et nous ne pouvons qu'abonder dans leur sens.

PARTIE V. L'ÉDUCATION : DES PLANS S.V.P.

L'enseignement de la langue seconde

En tant que méthode d'apprentissage du français, l'immersion a fait ses preuves ; cependant, sans qu'on puisse lui en imputer la faute, elle perturbe les méthodes

d'enseignement traditionnelles. Bien des questions demeurent sans réponse : A quel âge vaut-il mieux l'entreprendre ? Quelles en sont les répercussions sur la connaissance de la langue maternelle ? Et surtout, peut-il y avoir un prolongement au postsecondaire et après les études ? Cette année, toutefois, on s'est surtout demandé comment l'immersion se compare avec des programmes cadres bien enseignés, et comment intégrer ces différentes approches au sein du système d'enseignement. Seulement 4 p. 100 des élèves anglophones sont inscrits à des programmes immersifs, ce qui représente quelque 200 000 enfants au primaire et au secondaire. Pour la plupart des autres, les programmes cadres demeurent la seule méthode d'apprentissage du français. De plus en plus, parents, enseignants et élèves commencent à entrevoir des solutions de rechange à l'escalade sans fin des programmes immersifs.

La question se pose tout à fait différemment dans les écoles françaises du Québec. En effet, il n'existe pas de programmes « d'immersion anglaise » dans cette province ; ce qui s'en rapproche le plus est le programme d'anglais enrichi, dans lequel le tiers de l'enseignement est donné en anglais. Le projet du gouvernement de faire commencer l'enseignement de l'anglais dans les écoles françaises dès la première année plutôt qu'en quatrième a suscité un vif débat : on a discuté tout autant de ses conséquences possibles sur les inscriptions dans les différentes commissions scolaires que des aspects pédagogiques et culturels de la question.

Nous encourageons vivement les autorités fédérales et provinciales à profiter de la renégociation prochaine de leurs ententes sur les langues d'enseignement pour réévaluer la répartition des subventions aux différents aspects de ce programme, et pour entreprendre de concert les travaux de recherche et de planification devenus si importants et si pressants. Elles doivent à tout prix éviter les combats de coq disgracieux et aider le Canada à progresser harmonieusement vers l'égalité linguistique.

L'enseignement postsecondaire

Partout au Canada, les universités commencent à se rendre compte qu'elles ont le devoir de répondre aux besoins d'enseignement postsecondaire en français de deux groupes : les étudiants francophones de l'extérieur du Québec, et les diplômés anglophones de l'immersion en français.

Le besoin le plus pressant est de donner aux francophones la possibilité de faire des études universitaires dans leur langue ; quant aux étudiants anglophones, ils voudront s'inscrire à des cours donnés en français à la fois pour améliorer leur connaissance de la langue et pour se préparer aux emplois pour lesquels le bilinguisme constitue un atout. Il faut cependant souligner qu'il est peu probable que les mêmes programmes soient aussi profitables pour les deux groupes. Les

étudiants francophones ont besoin d'un enseignement dispensé entièrement en français, dans un milieu où cette langue domine, alors que les diplômés des cours immersifs ont besoin de maintenir et de perfectionner leur connaissance du français au cours de cette période de transition entre l'école et le marché du travail. Les jeunes francophones de l'extérieur du Québec seront peut-être disposés à accepter un enseignement postsecondaire mixte, mais il nous semble que cette solution est loin d'être idéale.

Trois grandes conclusions se sont dégagées du colloque sur l'enseignement postsecondaire organisé en mars dernier par la Canadian Parents for French : les besoins des collectivités francophones doivent l'emporter sur ceux des diplômés des cours immersifs ; il faut informer les élèves du secondaire des possibilités offertes par les établissements postsecondaires et les inciter à en profiter ; enfin la formation des professeurs et le financement des universités sont de la plus haute importance. Ajoutons que les autorités fédérales et provinciales se doivent de coordonner leurs efforts de recherche et de planification ; les Canadiens ne pourront tolérer beaucoup plus longtemps leurs tergiversations en cette matière.

LES ANNEXES

L'annexe A explique comment le Commissariat cherche à relever le défi que pose aujourd'hui la réforme du régime linguistique canadien.

L'annexe B traite d'une importante contribution canadienne à la coopération internationale en matière d'aménagement linguistique.

Pour des exemplaires additionnels, écrire à la direction des Communications, Commissariat aux langues officielles, Ottawa, Canada K1A 0T8. Ou encore téléphoner, à frais virés, au (613) 995-7717.

Le Commissaire aux langues officielles a aussi des bureaux régionaux dans les villes suivantes :

95, rue Foundry, Moncton (N.-B.)	E1C 5H7	(506) 857-7047
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COMMISSAIRE AUX LANGUES OFFICIELLES

COMMISSIONER OF OFFICIAL LANGUAGES

RAPPORT ANNUEL 1986

La relance promise : l'année du test!

COMMISSAIRE AUX LANGUES OFFICIELLES
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RAPPORT ANNUEL 1986

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Monsieur le Président
du Sénat
Ottawa

Monsieur le Président,

Conformément à l'article 34(1) de la *Loi sur les langues officielles*, je soumets au Parlement, par votre intermédiaire, le seizième Rapport annuel du Commissaire aux langues officielles qui se rapporte à l'année civile 1986.

Je vous prie d'agréer, Monsieur le Président, l'assurance de ma très haute considération.

Le Commissaire aux langues officielles,

D'Iberville Fortier

Mars 1987

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Avant-propos

> « Le français et l'anglais sont les langues officielles du Canada ; ils ont un statut et des droits et privilèges égaux quant à leur usage dans les institutions du Parlement et du gouvernement du Canada. »
>
> *Loi constitutionnelle de 1982*, paragraphe 16(1).

Ce qui nous préoccupe en ce début d'année 1987, c'est que l'avenir de la dualité linguistique canadienne soit mieux assuré grâce au renouveau de notre régime linguistique auquel le gouvernement s'est engagé. L'égalité de nos deux langues officielles dans les institutions fédérales ayant été proclamée par la Loi, confirmée par la *Charte canadienne des droits et libertés*, d'importants progrès ayant été accomplis dans divers secteurs, que demander de plus ? Que le gouvernement adopte maintenant une vision créatrice plus ample, orientée vers l'avenir, et qu'il prenne sur le plan législatif et administratif les mesures qui s'imposent pour nous rapprocher de l'égalité de façon plus méthodique dans la réalité de tous les jours. Les rencontres successives à l'automne du Sommet de la francophonie à Québec, puis du Commonwealth à Vancouver, revêtiront alors le caractère d'un engagement national confirmé, élargi à la scène internationale.

Il ne faut pas s'étonner qu'une réforme socio-politique marque après 17 années un certain essoufflement et qu'on doive en réexaminer l'esprit, les fondements juridiques et la mécanique, pour en renouveler le dynamisme. Surtout si, comme il est vrai dans le cas qui nous occupe, l'essoufflement s'est transformé au cours des quatre ou cinq dernières années en une quasi-stagnation accompagnée ici et là de reculs constituant de dangereux présages pour l'avenir.

Mais, répondront certains, l'essentiel ayant été accompli, pourquoi exiger une relance et chercher une perfection sans doute inaccessible ? D'abord parce que l'égalité de nos deux langues officielles continue fort heureusement à être perçue par notre gouvernement et par une forte majorité de la population canadienne comme « une exigence vitale pour notre originalité et notre identité nationales » qui doit donc être consacrée dans les faits. En second lieu parce que, comme nos études et nos rapports le démontrent, l'essentiel n'a pas toujours été pleinement atteint, par exemple en matière de choix de la langue de travail en régions bilingues. Nous sommes donc encore loin d'une suffisante « consécration dans les faits ».

Les raisons qui militaient il y a une vingtaine d'années en faveur de l'établissement de nouvelles règles du jeu pour assurer le succès du partenariat entre nos deux grandes communautés linguistiques demeurent aussi fortes que jamais. Qui peut encore douter sérieusement que la réforme du régime linguistique canadien ait contribué à maintenir, durant une période cruciale, la cohésion fortement menacée du pays ? De même, le renouveau attendu pourra être un important facteur de convergence alors que nos gouvernements fédéral et provinciaux sont aux prises avec la tâche primordiale de ramener le Québec dans la famille constitutionnelle. Qu'il soit ainsi invité à s'asseoir à une table plus conviviale !

Nous avons tous les jours au Commissariat l'occasion de réfléchir sur la notion d'égalité car elle est notre raison d'être. Le fabuliste Lafontaine nous a donné à ce sujet une parabole dans *Le pot de terre et le pot de fer* que nous ne devons, francophones ou anglophones, jamais oublier. Comme il s'agissait de voyager ensemble, le pot de fer promit au second, sans doute en toute bonne foi,

> « Nous vous mettrons à couvert. »
> Mais le pot de terre « n'eut pas fait cent pas
> Que par son compagnon il fut mis en éclats,
> Sans qu'il eût lieu de se plaindre. »

Morale : la bonne foi ne suffit pas toujours à protéger le faible. N'eut-il pas fallu prendre ensemble plus de précautions pour lui assurer confiance et sécurité ? La langue française est profondément enracinée au Canada, mais dans son voyage en compagnie de la langue anglaise, elle reste exposée aux mésaventures du pot de terre. Tel est, si l'on n'y prend garde, le destin qui menace certains groupes minoritaires.

Et cela peut s'appliquer aussi, *mutatis mutandis* et dans certains domaines, à la minorité anglophone du Québec, comme on a pu le constater dans le dossier que nous avons soumis au Gouverneur en conseil en janvier 1987 sur leur participation insuffisante à la fonction publique fédérale au Québec. L'égalité que nous défendons est indivisible. Elle respecte certes le droit du public à l'un ou l'autre unilinguisme ; pourquoi devrait-elle s'accommoder trop souvent de la tiédeur de beaucoup de politiques et de fonctionnaires qui ont pour mission de la protéger ou de la servir ?

Nous avons pour notre part poursuivi avec vigilance notre mission d'observation et de réflexion dont ce rapport fait état. Impatients, bien sûr, nous l'avons été, d'autant plus que l'arrivée au pouvoir du gouvernement actuel avait été précédée d'un relâchement souligné par mon prédécesseur. Une délégation accrue des pouvoirs des organismes centraux vers les institutions individuelles, sans contrôles suffisants ni claire imputabilité des dernières, était venue s'ajouter à une diminution marquée des ressources consacrées à la réforme, surtout en ce qui a trait aux transferts aux provinces pour l'enseignement dans les langues officielles. Apparemment épuisé par les importantes décisions constitutionnelles de 1981, le gouvernement précédent ne semblait guère soucieux non plus d'assurer auprès

des provinces et du secteur privé un leadership pourtant indispensable au maintien et à l'épanouissement de nos minorités.

Ayant saisi notre nouveau gouvernement de cet état de choses dès notre Rapport annuel de 1984, et suggéré bon nombre de remèdes quant au bilinguisme de l'État et à la protection de nos minorités, nous avions espéré que, sans attendre le terme d'une révision en profondeur qui s'imposait, des consignes de vigilance seraient données sans retard. Il n'en fut rien ; quelques initiatives louables furent prises, quelques composantes du programme firent l'objet de décisions que nous étudions dans ce rapport. Ces dernières nous semblent avoir été inspirées davantage par un souci légitime d'amélioration du rendement que par une volonté de progrès vers l'égalité. L'ensemble du système continua pour l'essentiel à marquer le pas. Or comme le dit si bien Vauvenargues : « Il est faux que l'égalité soit une loi de la nature », et le contraste entre les actes et les bonnes intentions continua donc de s'accentuer.

Si la presse nous apprenait en décembre que l'usage du français progressait aux Communes, passant depuis 1984 de 10 à 17 p. 100, ni la scène judiciaire, ni la scène minoritaire, à l'exception notable de celle de l'Ontario, ne nous apportaient de bien grands réconforts.

Nous trouvons pourtant des raisons d'espérer. Sur certains plans, l'opinion publique semble nettement précéder le gouvernement fédéral et la plupart des gouvernements provinciaux. Mes voyages à travers le pays, en particulier les tribunes radiophoniques auxquelles j'ai participé, m'en ont convaincu. Les analyses plus poussées auxquelles des spécialistes se sont livrés à partir des données de notre grand sondage d'opinion publique de l'automne 1985 ont confirmé par ailleurs nos conclusions initiales : la population canadienne reconnaît de plus en plus la réalité et les exigences de notre dualité linguistique. Les résultats sont encore plus probants chez les jeunes. Qu'on en juge par exemple par la croissance continue de la demande pour les cours d'immersion en français. « Opinion varie et bien fol est qui s'y fie », dira-t-on. Je préfère penser, comme MM. Stacy Churchill et Anthony Smith, que : « Le bilinguisme officiel demeurera un symbole, vénéré pour les liens qu'il a tissés, mais redouté pour la discorde qu'il peut encore semer. Pourtant, cette crainte tient largement du mythe...[1] » et comme Norman Webster du Globe and Mail que : « La révolution est terminée et il faut maintenant s'employer à mettre de l'ordre dans la maison. Les travaux ménagers n'ont jamais fait peur aux Canadiens, alors qu'attendons-nous[2] ? »

Et puis, du côté parlementaire, le Comité mixte permanent des langues officielles a manifesté un vif intérêt aux problèmes de nos minorités et de la réforme du régime linguistique au sein des ministères, indiquant aussi son intention de suivre dorénavant ces dossiers de beaucoup plus près. Finalement, nous savons que sous

[1] Notes préparatoires à l'article paru dans *Langue et Société*, n° 19, avril 1987.
[2] *Langue et Société*, n° 19, avril 1987.

l'impulsion du Premier ministre, dont l'engagement n'a jamais fait de doute, le ministre de la Justice, le président du Conseil du Trésor et le Secrétaire d'État, ainsi que leurs proches collaborateurs, ont consacré beaucoup d'efforts à la préparation d'un nouveau projet de loi sur les langues officielles qui serait soumis au Parlement dans un avenir prochain. Il donnerait un sens plus précis et plus strict à la notion d'égalité des deux langues officielles, offrirait des garanties à nos minorités et poserait enfin les jalons d'une politique linguistique globale impliquant tous les intéressés.

Souhaitons que la nouvelle loi réponde entre autres aux vœux que nous avons formulés (comme la Loi originale nous y invite spécifiquement) que son adoption soit suivie sans retard d'une réglementation répondant au même esprit et d'une mise en oeuvre énergique assortie de ressources suffisantes. On ne saurait exagérer l'importance de ce dernier point. Cela exigera certes beaucoup de détermination de la part d'un gouvernement qui cherche avant tout à réduire les dépenses publiques. Mais c'est à cette aune que l'on pourra le mieux mesurer ses authentiques priorités. Que pourrait-on attendre d'un « projet de société » qui serait financièrement traité comme simple affaire d'intendance ? Nous espérons aussi que le présent rapport, issu d'une activité redoublée de la part du Commissariat au cours du dernier exercice, et nos autres rapports déjà soumis ou encore à venir, pourront contribuer à une véritable relance sur tous les plans et avec tous les partenaires nécessaires. Elle ne donnera tous ses fruits que si nos compatriotes lui accordent l'appui que mérite une entreprise de concorde d'envergure nationale. Mil neuf cent quatre-vingt-sept se présente donc comme l'année du test. Et pas seulement pour notre gouvernement fédéral. On ne parle plus guère de réconciliation nationale. Il faut la remettre à l'ordre du jour.

Nous apprenons au moment d'écrire ces lignes le décès de Davidson Dunton qui, avec André Laurendeau, Jean-Louis Gagnon et leurs collègues de la Commission royale d'enquête sur le bilinguisme et le biculturalisme, fut la source d'inspiration d'un nouvel équilibre plus juste entre nos communautés linguistiques. Nous nous associons avec le Canada tout entier pour lui en rendre hommage.

D'I.F.

PARTIE I

Les partenaires

La scène canadienne : signes d'espoir

Les grandes questions nationales, quoi qu'on en pense, refont toujours surface : nous nous proposons de montrer ici que la question des langues officielles reste d'une actualité brûlante.

Comme à notre habitude, nous faisons rapport au Parlement et au peuple canadien sur les activités du gouvernement fédéral et de divers autres intervenants en matière linguistique, et sur la pertinence de celles-ci dans la quête d'une relation plus sereine et plus féconde entre les Canadiens d'expression française et anglaise. Mais on ne saurait parler de cette relation sans tenir compte de la dynamique linguistique, culturelle et économique qui sous-tend nos efforts vers la pleine réalisation de notre potentiel collectif. Aussi traiterons-nous, en premier lieu, du contexte socioculturel dans lequel s'inscrit l'action fédérale.

La problématique des rapports entre le français et l'anglais ne date pas d'hier : voisins par la géographie, cousins par l'histoire, ces langues et les peuples qui les parlent ont connu des siècles d'affrontements et de rapprochements. Chose certaine, leurs rapports n'ont jamais été indifférents. Rien d'étonnant à ce que les gouvernements les mieux intentionnés aient eu parfois du mal à faire régner l'harmonie. Mais la question qui se pose à nous aujourd'hui est de savoir si nous pourrons promouvoir l'Entente cordiale entre ces deux collectivités, ou si nous succomberons aux démons du tribalisme linguistique.

Identité culturelle et libre-échange

Si les rapports entre la politique linguistique et culturelle du Canada et l'affirmation de notre personnalité nationale n'étaient pas à l'ordre du jour des discussions préliminaires sur le libre-échange, cette question n'était pas étrangère à plusieurs des dossiers à l'étude. A vrai dire, lorsqu'on étudie d'un point de vue général la libre circulation des biens culturels et économiques entre deux pays souverains, en tenant compte de leurs caractéristiques démographiques et de leur régime politique respectifs, on s'aperçoit qu'il n'y a rien — tarifs sur les livres, doublage des films, quotas de pêche, pacte de l'auto — qui n'ait une incidence sur la langue ou sur les rapports entre nos deux principaux groupes linguistiques. Voilà une

raison suffisante pour réaffirmer nos valeurs culturelles, et du même coup exprimer avec force et clarté l'importance de notre héritage linguistique.

Appréciation générale

Quel est notre diagnostic pour l'année écoulée ? Sans doute faudrait-il répondre : « Ça aurait pu être pire. » En effet, le malade que nous examinons est anxieux ; alternant entre la fièvre et l'apathie, il ne sait pas très bien s'il se sent mieux ou si son mal empire. D'après les spécialistes des agences centrales, il s'agirait d'une phase « de transition » ; peut-être ce diagnostic est-il juste, mais nous serions plus rassurés si nous savions enfin où nous mène cette évolution.

Après deux ans, ou presque, d'une difficile gestation, les déclarations publiques concernant l'avenir de la réforme se résument pour l'essentiel à quelques phrases aussi vagues que vibrantes dans le discours du Trône (« élément indispensable de notre caractère national », etc.), et à deux ou trois déclarations ministérielles où l'on décèle un vif désir de bien faire, une vision saisissante des possibilités, mais aussi passablement d'hésitation. On s'est affairé, au Bureau du Conseil privé, au ministère de la Justice, au Conseil du Trésor et au Secrétariat d'État, à des travaux d'analyse et de planification ; on a transmis, de temps en temps, des messages promettant une nouvelle *Loi sur les langues officielles* qui « établira un nouveau cadre législatif conforme aux exigences de la Charte, mais qui permettra au gouvernement de revoir sa politique en cette matière[1] », ou encore « une nouvelle politique globale des langues officielles qui viserait à augmenter les services [bilingues] offerts par les autorités provinciales et municipales et même par le secteur privé dans tous les domaines : enseignement, santé, loisirs, affaires sociales et culture[2] ». Voilà de quoi nous mettre en appétit, mais nous sommes impatients de passer à table.

Outre ces déclarations alléchantes, on a laissé entendre périodiquement que la nouvelle *Loi sur les langues officielles* serait prête avant l'automne, avant Noël, au printemps, au cours de la session actuelle... « Ah ! quel talent je vais avoir demain », disait Berlioz. On ne connaît pas les raisons exactes de ces retards ; mais justifiés ou non, ils n'ont guère facilité la marche des programmes linguistiques au sein de la Fonction publique ou des projets entrepris en collaboration avec divers intervenants en dehors du gouvernement fédéral. Malgré son penchant pour le mode mineur en ce domaine, le gouvernement a néanmoins apporté une aide digne des plus grands éloges à la réalisation de deux projets : la mise sur pied de la chaîne française de TVOntario, et le lancement au Nouveau-Brunswick d'un nouveau quotidien au nom prometteur, *Le Matin*.

Par ailleurs, on a apporté quelques changements aux procédures en vigueur au sein même de l'administration fédérale — notamment aux normes en matière de traduction, de formation linguistique et de prime au bilinguisme ; quelques initiatives isolées ont aussi vu le jour en ce qui concerne, par exemple, la

[1] Discours prononcé le 31 octobre 1986 par l'honorable Ray Hnatyshyn, ministre de la Justice, devant l'Association des juristes francophones de l'Ontario.

[2] Discours prononcé le 3 octobre 1986 par le député Aurèle Gervais, au nom de l'honorable David Crombie, Secrétaire d'État, devant l'Institut franco-ontarien.

vérification linguistique interne et la dimension linguistique des événements internationaux. Sans vouloir nier l'intérêt de ces mesures, nous devons cependant souligner que les efforts consentis par les agences centrales pour promouvoir l'égalité des deux langues officielles, non seulement dans la loi mais « également dans les faits[1] », ne sont pas très impressionnants, compte tenu du caractère de plus en plus urgent des besoins, et ne laissent guère présager de changements en profondeur pour l'avenir.

L'égalité réelle au sein des organismes fédéraux

A quelques louables exceptions près, les organismes fédéraux se sont contentés cette année de marquer le pas. S'il y a eu certains progrès importants, on le doit davantage à des initiatives individuelles qu'à un effort de promotion de la part du Secrétariat du Conseil du Trésor. Comme nous l'avons dit, celui-ci est excusable dans la mesure où il avait d'autres chats à fouetter ; mais il faudra du temps pour corriger les effets de sa négligence, et le temps a toujours été mesuré lorsqu'il s'agit du programme des langues officielles. D'autre part, la dispersion des ressources spécialisées en matière linguistique au sein de nombreux organismes fédéraux, y compris les agences centrales, risque de compromettre la nécessaire relance du programme. Voilà au moins six ans que nous attirons l'attention sur cette dilapidation des ressources humaines essentielles à l'avancement du programme des langues officielles ; espérons seulement que la baisse de rendement qui en a résulté servira de leçon pour l'avenir.

Refonte de la Loi

Il y eut pourtant certains signes encourageants en 1986. Le gouvernement a fait un premier pas vers le renouvellement de la politique en s'attaquant à la refonte de la *Loi sur les langues officielles* avant d'en revoir les différents mécanismes d'application. (La « mise en œuvre plus vigoureuse » de la Loi actuelle, promise en novembre 1984, est analysée en détail au troisième chapitre de la partie I.) Ce qui importe maintenant, c'est d'en arriver à une nouvelle Loi qui intègre, en les élargissant, les vertus de la première, sans être rédigée dans un esprit tâtillon qui favoriserait les litiges inutiles, plutôt que le respect réciproque et la jouissance éclairée de notre bien commun. L'atteinte de cet objectif exigera de nos hommes d'État et de nos administrateurs un doigté exceptionnel ; ceux et celles qui ont à coeur le renouveau de la politique linguistique et culturelle du pays se devront de leur offrir compréhension et appui.

Le premier reproche que l'on adresse à la Loi de 1969, c'est que tout en proclamant au départ « l'égalité » du français et de l'anglais, elle ne précisait pas suffisamment, par la suite, l'objectif global ou la portée de cette déclaration. Le second, c'est qu'en faisant reposer largement sa mise en oeuvre sur l'interaction d'un commissaire-ombudsman nommé par le Parlement — la création du Comité mixte permanent des langues officielles n'étant pas prévue à l'époque —, le législateur ne fournissait pas d'instruments adéquats pour faire appliquer la Loi. La plupart des intéressés s'accordent à dire que ce sont là les deux grands problèmes que

[1] Discours du Trône, novembre 1984.

la refonte devra résoudre ; mais les opinions sont beaucoup plus partagées quant aux moyens à prendre pour atteindre ces buts.

Applicabilité de la Loi

Avant d'aborder la question de l'égalité, examinons celle de l'applicabilité de la Loi eu égard aux droits linguistiques. Concrètement, il s'agit de savoir si ceux qui s'estiment lésés dans leurs droits devraient disposer d'un recours auprès d'un organisme capable d'offrir, ou même d'imposer réparation. Le seul pouvoir dévolu au Commissaire aux langues officielles étant celui de recommander des correctifs, les Canadiens mécontents de la lenteur de la réforme linguistique peuvent croire que c'est l'absence d'un organisme doté d'un pouvoir coercitif qui fait problème. Quant à nous, comme nous l'expliquons à la p. 26, nous avons tenté dernièrement d'éprouver les limites de nos pouvoirs en vertu de la Loi actuelle. Nous abordons ici des questions d'ordre plus général. Compte tenu des multiples facteurs psychologiques et socio-économiques en jeu, comment pouvons-nous juger honnêtement de l'efficacité réelle d'une telle loi ? Et si l'on estime qu'elle ne produit pas tous les effets désirés, quelles en sont les raisons, et quelles en sont les solutions que devrait envisager le Parlement ?

Ayant formulé au cours des ans bon nombre de suggestions précises quant aux amendements à apporter à la Loi, nous nous contenterons de résumer ici notre opinion. Plus nous faisons l'expérience de cette loi, plus nous nous rendons compte de tous les changements qu'elle aura malgré tout permis, à la fois sur le plan du comportement institutionnel et des attitudes du public. Sans doute nous paraît-elle aujourd'hui d'une portée insuffisante et son application n'a-t-elle pas toujours été des plus efficaces (le Commissariat n'étant certes pas sans reproche à cet égard). Pourtant, elle a su nous guider dans des eaux inconnues. Ce qu'il faut aujourd'hui, comme l'indiquait en novembre dernier le ministre de la Justice, c'est de la rendre conforme à notre nouvelle réalité constitutionnelle afin d'établir sa pertinence non seulement en matière de service au public, mais également en ce qui a trait à la dualité linguistique au sein de l'appareil fédéral et dans les nombreux autres secteurs de notre société dont l'avenir est lié au sort du français et de l'anglais au Canada et dans le monde. La nouvelle loi devra aussi réaffirmer les principes de l'égalité linguistique établis par la Résolution parlementaire de 1973 qui, rappelons-le, avait été adoptée à l'unanimité. Cette résolution définissait avec une parfaite clarté les trois éléments qui constituent, aux yeux du Parlement canadien, l'égalité linguistique : le droit du public d'être servi dans sa langue officielle ; le droit des employés fédéraux de travailler, à l'intérieur de limites raisonnables, dans leur langue officielle d'élection ; et la pleine participation des Canadiens d'expression française et anglaise à la Fonction publique. D'autre part, la loi doit affirmer clairement notre engagement envers les minorités francophone et anglophone du pays. En outre, elle doit offrir des moyens efficaces d'en assurer le respect lorsque les autres recours se sont avérés inefficaces. Au-delà de ces considérations, la question fondamentale reste toujours la même : comment formuler clairement, aux yeux du public, la meilleure approche en vue d'instaurer

entre francophones et anglophones une entente réelle et durable sur laquelle pourra se fonder l'épanouissement de notre pays.

La notion d'égalité

Certains seront toujours tentés de donner à la notion de l'égalité du français et de l'anglais, proclamée par la Loi, une interprétation sans nuances, en vertu de laquelle toutes les possibilités offertes à une langue devraient aussi être offertes à l'autre. Ce n'est pas une telle « unité » que vise notre politique linguistique nationale, mais plutôt la complémentarité, le meilleur partage des responsabilités et des privilèges qu'il est possible d'instaurer dans une situation donnée. Il ne peut s'agir en ce domaine d'une simple égalité mathématique. Si cela est bien compris et que la confiance règne, la relation à laquelle nous parviendrons sera doublement féconde : en nous aidant l'un l'autre, nous nous aiderons nous-mêmes. L'égalité n'est pas l'identité, que ce soit devant la loi ou ailleurs ; que les Canadiens se le répètent chaque jour et nous risquerons moins de nous écarter de la bonne voie.

Le rôle des tribunaux

La législation actuelle en matière linguistique a eu notamment pour effet de susciter un nombre sans précédent d'appels aux tribunaux. (Précisons cependant qu'aucune de ces causes n'est directement reliée à la *Loi sur les langues officielles*.) A mesure qu'elles se sont penchées sur les droits que leur confèrent la coutume, la loi ou la constitution, les provinces et les minorités linguistiques ont eu recours de plus en plus souvent aux tribunaux afin de faire préciser les droits et les obligations de chacun, et de trouver la meilleure façon de résoudre leurs différends. On a rendu dernièrement plusieurs jugements divergents ; les enjeux de cette lutte juridique n'en sont que plus élevés : il apparaît de plus en plus probable que c'est à la Cour suprême qu'il reviendra de trancher de nombreuses questions. On trouvera au chapitre suivant une analyse des décisions rendues par celle-ci et d'autres tribunaux en 1986 ; disons simplement ici qu'on leur demande trop souvent de résoudre des conflits qui pourraient l'être de façon plus humaine et moins coûteuse — à condition que les gouvernements fassent preuve de bonne volonté et d'ouverture d'esprit — par voie de négociation, en faisant appel au besoin aux services d'un arbitre.

Les provinces et les autres intéressés

Pendant que le gouvernement fédéral consacrait la plus grande partie de l'année à examiner ses options et à flairer le vent, d'autres en ont profité pour lui voler la vedette. Ainsi, l'étapisme ontarien nous a réservé cette année une très agréable surprise : le nouveau gouvernement a accordé des garanties juridiques touchant les services provinciaux et l'enseignement en français ; de plus, c'est avec l'appui de tous les partis, et grâce à une collaboration plus étroite que jamais avec la minorité franco-ontarienne, qu'il est parvenu à ces résultats. Il a bien mérité nos applaudissements.

Au Québec, après avoir commencé dans le calme, l'année s'est terminée de façon plus mouvementée : la Cour supérieure de la province déclarait avant Noël que l'interdiction d'utiliser une autre langue que le français dans l'affichage commercial contrevenait à la fois à la *Charte canadienne des droits et libertés* et à la *Charte*

québécoise des droits de la personne. Ni le réel souci que nous inspire l'avenir du français au Canada et au Québec, ni le débat parfois acerbe qui entoure la question de l'affichage, ne doivent nous faire oublier le droit légitime des Anglo-Québécois à la reconnaissance institutionnelle de leur langue. A notre avis, des mesures qui visent à protéger le français en s'attaquant aux droits concrets de l'autre langue officielle ne sauraient être bénéfiques à long terme. Aussi nous réjouissons-nous de ce que la province ait adopté une nouvelle loi qui, pour la première fois, garantit la prestation de services sociaux et de santé en langue anglaise. Quoi qu'il en soit, tous ont pu constater, en 1986, un regain d'anxiété tant chez les francophones que chez les anglophones du Québec. Il n'y a sans doute pas de solution idéale au problème de l'équilibre linguistique ; cependant, les solutions négociées ont plus de chances d'assurer le respect des intérêts de chacun, et nous sommes convaincus que l'ouverture d'esprit et la bonne volonté permettront d'y arriver.

La grande question de l'heure est la conclusion d'un accord constitutionnel honorable entre le Québec, le gouvernement fédéral et les autres provinces. Un tel accord doit permettre au Québec, foyer de la francophonie canadienne, de contribuer pleinement à l'essor du pays, sans qu'il ait à sacrifier aucun élément vital de son identité. Étant donné le fonctionnement de notre système politique, la répartition actuelle des pouvoirs et des partis et, de façon générale, les tensions qui existent à l'échelle nationale et internationale, il y a lieu de craindre que la réconciliation constitutionnelle ne se fasse pas aussi vite qu'on le souhaiterait. Ne soyons pas défaitistes pour autant : nous sommes à un tournant difficile, certes, mais qui offre de grandes possibilités. Si l'on veut que le Canada soit plus uni, il faudra accepter sans réticences, et même avec enthousiasme, non seulement le « caractère français » du Québec, mais aussi toute sa réalité culturelle, tout comme nous acceptons les nombreuses autres composantes du grand paradoxe qu'est l'identité canadienne.

Le Nouveau-Brunswick et le Manitoba

Le Nouveau-Brunswick et le Manitoba, tous deux bilingues à leur façon, ont poursuivi en 1986 leur cheminement linguistique particulier. Ayant reçu cette année un autre rapport sur les modifications possibles à sa *Loi sur les langues officielles*, le gouvernement du Nouveau-Brunswick a résolu de n'entreprendre aucune action décisive avant les élections. S'il est certain que cette attitude ne résout rien, elle offre cependant à chacun le temps de réfléchir après les douloureuses scènes de famille des dernières années. Il ne fait aucun doute que des modifications s'imposent : les inégalités manifestes dans le traitement accordé à chacune de ses deux communautés linguistiques ne permettent guère au Nouveau-Brunswick de continuer à se présenter comme la seule province officiellement bilingue au Canada. Le Manitoba, quant à lui, a poursuivi la traduction en français des lois antérieurement promulguées en anglais seulement, tout en examinant discrètement la possibilité d'offrir aux Franco-Manitobains certains services dans leur langue. Mais là aussi, les progrès ont été lents : la province devra hâter le pas si elle désire être fidèle à ses origines et à son sens de l'équité.

Dans les autres provinces et les territoires, les progrès en direction de l'égalité réelle du français et de l'anglais n'ont certes pas été spectaculaires, mais on a tout de même pu déceler quelques signes d'espoir. Ainsi, le gouvernement fédéral s'est montré disposé à subventionner certains projets méritoires, par exemple la construction d'un centre communautaire francophone en Nouvelle-Écosse, ou la mise sur pied d'un programme des langues officielles pour les Territoires du Nord-Ouest. Mais il y a encore beaucoup à faire pour mener à terme ces entreprises conjointes, parmi d'autres. S'il est essentiel de défricher le terrain, on ne peut s'arrêter là : il faudra encore accentuer la coordination tout en multipliant efforts et investissements.

Les droits scolaires des minorités

C'est dans le domaine de l'enseignement dans la langue officielle minoritaire que le besoin d'une coordination efficace des efforts fédéraux et provinciaux se fait le plus pressant. En 1981, la Charte accordait aux parents admissibles le droit de faire instruire leurs enfants en anglais, au Québec[1], et en français ailleurs au Canada ; en vertu de l'article 23, cela incluait « ... lorsque le nombre de ces enfants le justifie, le droit de les faire instruire dans des établissements d'enseignement de la minorité linguistique financés sur les fonds publics ».

Cinq ans plus tard, ce droit est loin d'avoir été concrétisé dans bon nombre de provinces et dans les territoires. Le recensement de 1986 confirmera sans doute l'hémorragie des effectifs minoritaires, causée en grande partie par l'absence d'un enseignement adéquat dans leur langue. Or les parents de langue minoritaire n'ont guère connu de succès dans leurs démarches auprès des gouvernements provinciaux (sauf, dans une certaine mesure, au Nouveau-Brunswick, au Québec et en Ontario) ; dans plusieurs cas, il leur a fallu entreprendre de coûteuses actions en justice simplement dans l'espoir d'obtenir des autorités qu'elles s'acquittent de leurs obligations constitutionnelles. Le Commissariat et le gouvernement fédéral se sont efforcés d'amener les provinces à se joindre à eux dans leur recherche de solutions aux problèmes administratifs réels — mais non insurmontables — liés à l'application de l'article 23 ; celles-ci ont hélas fait la sourde oreille. Ce manque de collaboration ne correspond guère à l'idée que l'on se fait d'un Canada éclairé dont la tolérance culturelle et linguistique ainsi que la maturité politique peuvent servir d'exemple au monde entier. Il incombe donc aux Canadiens de faire savoir à leurs dirigeants provinciaux (à l'exception de ceux que nous avons indiqués) que leur comportement n'est pas digne de notre pays.

Les perceptions du public

Nous avons souligné l'an dernier, sondages à l'appui, que les Canadiens acceptent de mieux en mieux l'idée d'un Canada bilingue. D'autres sondages sont venus confirmer cette tendance en 1986 : le public attend des gouvernements qu'ils favorisent les bonnes relations linguistiques au moyen d'une politique claire et réaliste. Le Commissaire peut en témoigner, lui dont les déplacements l'amènent à consulter les Canadiens de toutes les régions, et qui dispose d'antennes modestes,

[1] Même si le Québec n'a pas signé la Charte, les tribunaux ont statué qu'il était lié par cette clause ; et de fait, il la respecte mieux, à l'heure actuelle, qu'à peu près toute autre province.

mais efficaces, *a mari usque ad mare*. D'autre part, nos échanges avec les gouvernements, le secteur privé, et une grande variété d'associations et d'individus nous donnent à penser que les principaux intéressés sont de plus en plus conscients de la volonté du public, et qu'ils comprennent de mieux en mieux leurs rôles respectifs.

Les initiatives du secteur privé

On ne peut envisager la refonte de la *Loi sur les langues officielles* sans à tout le moins se poser les questions suivantes : Devrait-elle s'appliquer au secteur privé ? Si oui, dans quelle mesure ? Et comment pourrait-on assurer qu'elle soit respectée ? Au fil des ans, le Commissariat a mis de l'avant de nombreuses suggestions visant à harmoniser le rendement linguistique des secteurs public et privé, mais bien peu de choses ont été faites à cet égard. La législation fédérale en ce domaine se réduit à quelques dispositions touchant l'emballage et l'étiquetage : aucune loi, aucun règlement n'obligent par exemple les transporteurs aériens du secteur privé à donner ne serait-ce que les consignes de sécurité dans les deux langues officielles. Une telle situation est-elle normale dans un pays officiellement bilingue ? Et sinon, quelles mesures devons-nous prendre pour y remédier ? On ne peut accepter que l'absence de directives linguistiques vienne menacer la santé et la sécurité des Canadiens francophones ou anglophones : nous restons convaincus que le gouvernement pourrait — par le truchement de la *Loi sur les langues officielles* ou en apportant des modifications mineures à d'autres lois fédérales — établir des normes minimales en ce domaine.

En 1986, cependant, d'autres questions connexes ont surtout retenu notre attention : Jusqu'à quel point les secteurs privé et volontaire sont-ils bilingues, en particulier leurs associations nationales ? Pourquoi et comment leur bilinguisme s'est-il accru ? Et quelles formes d'aide gouvernementale leur seraient le plus utiles ? D'après les résultats préliminaires de notre enquête sur le sujet, il semble qu'ils soient plus bilingues qu'on ne le croit ; qu'ils le soient devenus, avant tout, parce que les entreprises y voyaient leur intérêt ; et qu'ils soient disposés à mettre au point leurs propres normes de rendement linguistique, avec l'aide du gouvernement, et à partager leurs connaissances en ce domaine, notamment sur le plan technologique. Nous nous réjouissons de ce mouvement au sein du secteur privé et de l'intention du gouvernement de s'y associer financièrement. Bravo. Rappelons cependant qu'il y a aussi loin de la coupe aux lèvres que de l'énoncé d'une politique à la prestation de services bilingues à l'échelle locale.

Les autres langues

L'identité canadienne, nous l'avons dit, est un paradoxe : coexistence d'une multitude de cultures — dont deux prépondérantes — d'où surgit, peu à peu, une culture d'ensemble distincte. Il ne s'agit pas d'une froide mosaïque, mais bien d'un hybride vigoureux. Au fond, ce que nous avons choisi, c'est d'édifier un pays sur l'idée apparemment contradictoire que le tout dépasse la somme de ses éléments. La multiplicité des langues, un des traits caractéristiques de cet ensemble, n'est pas sans poser certains problèmes ; pour les Canadiens dont l'héritage linguistique n'est ni le français, ni l'anglais, il s'agit de savoir si leur pays reconnaît la légitimité de leur patrimoine. Il ne faut pas oublier à cet égard que personne

n'est « pur » sur le plan linguistique, pas plus que sur celui de la race : chacun d'entre nous, même s'il ne maîtrise que deux dialectes ou trois niveaux d'une même langue, est marqué en réalité — et fort heureusement — du sceau de la diversité linguistique. Or il nous appartient, en tant qu'individus et en tant que société, de régir cette diversité en fonction de nos besoins et de nos objectifs.

Le Canada s'est proposé un défi de taille : bâtir le multiculturalisme dans le cadre du bilinguisme officiel. Selon nous, cette formule doit s'entendre ainsi : nous voulons maintenir et promouvoir les langues autres que le français et l'anglais, mais nous nous attendons néanmoins à ce que tout bon Canadien s'associe à l'une ou l'autre des langues officielles et soit pleinement conscient des valeurs culturelles qu'elles représentent, et de leur apport à l'ensemble de la société canadienne. De telles affirmations doivent toutefois se traduire dans la réalité, ce qui implique pour les individus et les administrations des choix inéluctables, dont certains se font aujourd'hui de plus en plus difficiles. En effet, si notre diversité culturelle s'accroît et se transforme sans cesse en raison de l'ouverture de notre société, les Canadiens sont de plus en plus prompts à faire valoir leurs droits et à recourir pour ce faire à des tactiques de pression éprouvées. Tout bien considéré, et en sachant fort bien que le Canada ne peut répondre à tous les voeux, nous avançons les observations suivantes :

- Le Canada dans son ensemble ne peut avoir que deux langues officielles.
- Les aspirations des autres langues à survivre et à prospérer à l'échelle locale sont légitimes ; mais pour que le Canada constitue un jour une véritable entité nationale, ceux qui les parlent devront également s'intégrer au régime linguistique du pays.
- Les autres langues parlées au Canada, notamment les langues autochtones, ont leur place au sein de nos systèmes d'enseignement ; cependant, il s'agit de trouver pour elles l'équilibre qui convient face aux autres réalités linguistiques, particulièrement le français et l'anglais.
- Si nous attendons des nouveaux Canadiens qu'ils s'identifient à l'une ou l'autre de nos langues officielles et aux valeurs culturelles qu'elles représentent, nous devons leur donner les moyens de s'y initier. Il ne s'agit pas de les faire entrer de force dans le moule de la conformité linguistique, mais d'offrir à tous les immigrants, hommes et femmes, la possibilité de maîtriser le français, l'anglais, ou les deux. Voilà bien un domaine où les provinces et le gouvernement fédéral doivent travailler de concert, mais c'est à ce dernier qu'il incombe de donner l'élan — élan qui fait tristement défaut à l'heure actuelle.

Le Comité mixte

Au Parlement, le Comité mixte permanent des langues officielles a connu une année fructueuse : il a entrepris d'étudier les objectifs d'une nouvelle *Loi sur les langues officielles*, d'examiner en profondeur les aspects linguistiques de la démographie et de l'enseignement, et de tancer les organismes récalcitrants. Cela

témoigne d'une sensibilité croissante du nouveau Parlement à l'importance des ramifications politiques, économiques, culturelles et administratives du bilinguisme national ; cela reflète sans doute l'évolution de l'opinion publique : on comprend de mieux en mieux que la politique linguistique fait partie de la trame de notre pays, et qu'elle exige de façon permanente l'attention de tous. La croissance marquée de l'usage du français à la Chambre des communes paraît significative à cet égard : d'après l'examen du Hansard et d'autres documents, il serait passé de 10 à 17 p. 100 au cours des deux dernières années, ce qui correspond mieux — mais encore imparfaitement — à la composition de la Chambre, dont plus de 26 p. 100 des membres sont d'expression française.

Si les moyens de communication nous font de plus en plus oublier l'immensité du pays, les Canadiens n'en conservent pas moins, semble-t-il, une tendance innée à sous-estimer l'ampleur de leurs différences linguistiques. Nos interlocuteurs sont souvent étonnés d'apprendre que plus de la moitié des Québécois francophones se considèrent unilingues, et que parmi les Canadiens anglophones, seulement 8 p. 100 estiment maîtriser le français. Et en réalité, notre diversité est encore plus grande que ne le révèlent ces chiffres ; c'est pourquoi nous serions sages d'accorder à tous les aspects de l'aménagement linguistique la plus haute priorité nationale.

Nous examinons de plus près à la p. 34 le degré de priorité dont jouit présentement ce dossier d'après la part qu'il représente dans l'ensemble des dépenses fédérales ; notons simplement que si l'on affecte à la quête de l'harmonie linguistique des sommes rondelettes, d'autres dossiers d'importance comparable absorbent des crédits bien plus considérables. La répartition actuelle des ressources pourrait certes être améliorée, mais il n'en reste pas moins que l'investissement global risque d'être insuffisant.

Ce point de vue n'est pas nouveau : nous l'avons exprimé à maintes reprises, que ce soit en public ou dans nos échanges avec le gouvernement. Si quelqu'un peut nous indiquer comment le Canada pourrait, sans consentir de nouveaux investissements à long terme, réaliser même une partie de ses objectifs linguistiques, nous serions heureux de lui ouvrir les pages de notre revue *Langue et Société*. En attendant, nous restons fidèles à notre opinion, et nous tenons à avertir le gouvernement que la refonte de la Loi et le renouvellement du programme ne suffiront pas à nous faire entrer en terre promise. Nous discernons aujourd'hui l'image lointaine d'un Canada authentiquement bilingue et multiculturel : l'année 1987 mettra sérieusement à l'épreuve notre détermination à y parvenir. Ce sera l'année du test.

Les droits linguistiques : régler en cour ou hors cour ?

La meilleure constitution au monde ne peut remplacer la volonté des hommes et des femmes politiques et le désir des citoyens de vivre ensemble dans la paix, la dignité et le respect mutuel. La constitution d'un État ne peut qu'esquisser en termes très généraux les desseins d'un pays. Comme l'a souligné le sociologue Raymond Breton dans une étude présentée à la Commission MacDonald, le cadre constitutionnel fournit « un contexte dans lequel les individus recherchent leurs intérêts symboliques... un système de possibilités... » Tel est le cas, au Canada, des droits linguistiques et plus précisément de ceux inscrits dans la *Loi constitutionnelle de 1867*, dans d'autres lois constitutionnelles et dans la *Charte canadienne des droits et libertés*. Il s'agit là bien souvent de droits virtuels qu'il nous reste à actualiser : en ce domaine, les décisions des juges ne peuvent suppléer à une action politique, administrative et communautaire éclairée.

Les tribunaux, sans doute, ont été appelés au cours du premier siècle de notre histoire confédérale à préciser la nature et à étendre la portée de certains droits linguistiques, notamment de ceux consacrés par diverses lois constitutionnelles comme la *Loi de 1870 sur le Manitoba* ; on leur a demandé plus récemment de statuer sur d'autres lois, dont la *Loi sur les langues officielles* du Canada et la *Charte de la langue française* du Québec. Certaines lois, comme la *Loi sur les territoires du Nord-Ouest* de 1891, comportaient aussi des dispositions relatives aux droits linguistiques. On s'interroge encore de nos jours sur la pérennité de ces droits et sur la portée que leur confère la Constitution, de même que sur les obligations qu'ils impliquent pour certains gouvernements provinciaux — dont ceux de l'Alberta et de la Saskatchewan — et pour les territoires fédéraux, notamment en matière d'administration de la justice. En effet, on n'a pas encore déterminé qui, de l'administration des territoires ou d'Ottawa, devrait veiller à l'application des dispositions linguistiques de la *Loi constitutionnelle de 1867* et de la *Loi sur les langues officielles*. Or ce qui ressort des principaux jugements rendus en 1986 au sujet des droits linguistiques, c'est que toutes ces interrogations remplacent souvent l'action.

Après une analyse de trois décisions importantes rendues en 1986 par la Cour suprême du Canada, nous indiquons deux secteurs clés de la réforme du régime

linguistique canadien en 1987 : celui des droits en matière judiciaire, en particulier en ce qui a trait à la procédure criminelle, et celui des droits à l'instruction dans la langue de la minorité. Enfin, nous concluons à la nécessité d'une coopération fédérale-provinciale accrue en vue de donner tout son sens à la réforme entreprise il y a plus de vingt ans, en aidant les provinces et les municipalités qui le veulent bien à offrir des services appropriés dans les deux langues, notamment dans le domaine de la santé et des services sociaux. (Le lecteur trouvera plus loin dans le chapitre sur les minorités une description des principales causes linguistiques soulevées dans les provinces.)

Une version française de la Constitution

En fin d'année, nous nous réjouissions du dépôt en Chambre par le ministre de la Justice, en vue de leur adoption par proclamation du Gouverneur en conseil sous le grand sceau du Canada, de la version française de certains éléments fondamentaux de la Constitution, soit la *Loi constitutionnelle de 1867* et les quatorze lois qui l'ont modifiée. Nous espérons que toutes les autorités constituantes voudront bien les approuver le plus rapidement possible afin que les Canadiens puissent enfin prendre connaissance de la version française officielle de ces instruments juridiques de la plus haute importance.

La révision de la Loi sur les langues officielles

D'entrée de jeu, nous aimerions formuler ici un vœu qui nous tient particulièrement à cœur. Nous souhaitons que les modifications qui seront bientôt proposées à la *Loi sur les langues officielles* nous fournissent, comme le ministre de la Justice l'a indiqué en octobre, un nouveau cadre législatif pour la coordination d'une stratégie globale en matière d'aménagement linguistique. La Loi refondue devrait permettre à tout le moins de régler certaines questions encore en suspens : ses rapports avec les autres lois fédérales ; l'usage du français et de l'anglais comme langues de travail dans les institutions fédérales et les recours éventuels en cas de violations de la Loi ; les difficultés qui se posent dans plusieurs provinces en ce qui a trait à l'emploi des deux langues en matière de droit et de procédure criminels.

Millésime 1986

Nous rappelions l'année dernière que la contestation judiciaire, si légitime soit-elle, est longue, coûteuse et incertaine. La nature des contestations engagées cette année, la lenteur des tribunaux à disposer de celles déjà entendues, ainsi que les divergences entre magistrats ou entre juridictions, nous ont généralement confirmés dans nos appréhensions. L'année 1986 nous aura en tout cas convaincus que la Cour suprême du Canada n'entend pas s'aventurer dans des interprétations plus dynamiques. Force nous est donc de constater une fois de plus que si les juges peuvent parfois protéger les droits linguistiques, c'est encore aux hommes et aux femmes engagés dans l'action politique, à tous les échelons, qu'il appartient vraiment de les promouvoir. Comme le souligne le professeur André Braen dans *Les droits linguistiques au Canada* :

> La garantie linguistique n'a pas d'existence à moins de faire l'objet d'une reconnaissance par l'État ; pour prendre effet, elle exige son intervention.

L'application des garanties linguistiques suppose donc une « transformation des rapports entre gouvernants et gouvernés ». L'interventionnisme dont il est question n'est pas nouveau ; il est néanmoins essentiel à la reconnaissance des droits linguistiques, puisque son exercice en dépend.

Qu'il s'agisse de réaffirmer les droits linguistiques au Canada ou de leur donner une réalité concrète, la concertation des différents gouvernements en vue de formuler des objectifs précis s'impose de façon de plus en plus évidente.

Cette année encore la plupart des litiges au sujet des langues reflètent deux conceptions du Canada qui s'affrontent depuis le siècle dernier, et qui continuent de s'opposer par juristes interposés. On a l'impression d'une évolution cyclique du bilinguisme qui connaît tour à tour ses hauts et ses bas, selon le domaine ou la région. Une chose cependant est désormais acquise, c'est que si l'aire géographique de la dualité canadienne a pu connaître historiquement dans certains domaines une contraction importante, son influence continue de s'accroître là où elle s'est affirmée avec le plus de vigueur depuis cinquante ans, soit sur la scène fédérale. Où en sont donc rendus, en 1986, les tribunaux supérieurs dans la jurisprudence des droits linguistiques ?

Trois décisions de la Cour suprême

Cette année, la Cour suprême du Canada a statué dans trois causes linguistiques : les affaires MacDonald, Bilodeau et Société des Acadiens du Nouveau-Brunswick. Ce faisant, elle a élaboré de nouvelles doctrines qui pourraient s'avérer déterminantes pour les prochaines décennies.

On se rappellera que deux de nos concitoyens qui avaient reçu des sommations judiciaires unilingues, l'une en français au Québec, l'autre en anglais au Manitoba, avaient saisi les tribunaux de leur grief pour ultimement porter l'affaire en Cour suprême du Canada. En statuant le 1er mai par une opinion majoritaire (six contre un) qu'une sommation à comparaître devant un tribunal du Québec (affaire MacDonald) ou du Manitoba (affaire Bilodeau) peut être rédigée en français *ou* en anglais, sans égard à la langue de la personne mise en cause, la Cour suprême du Canada nous a fourni une interprétation rigoureuse et textuelle de l'article 133 de la *Loi constitutionnelle de 1867* et de l'article 23 de la *Loi de 1870 sur le Manitoba*.

Tout en reconnaissant qu'il serait souhaitable que ces sommations soient bilingues, pour assurer que le destinataire les comprenne, la Cour a estimé que la Constitution ne l'exigeait pas : elle garantit en effet les droits linguistiques des justiciables, des avocats, des témoins, des juges et des autres officiers de justice, non ceux des parties à qui on adresse les sommations.

Ce système de protection précis mais incomplet constitue selon la Cour « un minimum résultant d'un compromis historique » dont seules les législations fédérale et provinciales pourraient étendre la portée — car le tribunal est d'avis « qu'il n'appartient pas aux tribunaux et aux juristes sous couvert d'interprétation, d'améliorer ce compromis, d'y ajouter ou de le modifier ». En clair, la Cour suprême renvoie la balle dans le camp politique.

Une dissidence

Un juge néanmoins marquait sa dissidence par une interprétation plus dynamique de la loi fondamentale du pays. A ses yeux, le droit d'une personne d'utiliser sa langue imposerait à l'État l'obligation correspondante de respecter ce droit. La cour devrait ainsi communiquer avec une personne dans sa langue. Si le magistrat conserve de son côté le droit de rédiger dans la langue de son choix, cela ne saurait diminuer *l'obligation de l'État* de fournir une traduction dans la langue de la personne concernée ; le juge dissident s'interroge : « Autrement quelle sorte de protection linguistique cela constituerait-il ? » En effet, c'est là toute la question.

Il faut avouer que l'opinion majoritaire du tribunal s'inscrit en fait dans la lignée de la jurisprudence en la matière et qu'elle s'appuie sur deux arrêts de la Cour suprême du Canada dans l'affaire Blaikie. Cette décision n'en constitue pas moins pour nous, comme pour bien des Canadiens, une grande déception : la nouvelle ronde de négociations constitutionnelles qu'elle pourrait entraîner serait longue et son issue aléatoire. Nous croyons — avec tout le respect dû au plus haut tribunal — que c'est un facteur dont il devrait tenir compte lorsqu'il évalue les conséquences pratiques de ses jugements.

A notre avis, la protection minimale des droits linguistiques qu'offrent l'article 133 de la *Loi constitutionnelle de 1867* et l'article 23 de la *Loi de 1870 sur le Manitoba* pourrait fort bien se trouver à notre époque en deçà des exigences de la justice naturelle et de l'équité. Mais, selon la Cour : « Ces exigences protègent non pas des droits linguistiques mais d'autres droits (...) que l'article 133 n'a jamais eu pour objet de sauvegarder au départ et avec lesquels il n'a rien à voir. » Si notre système assure à chacun le droit à un procès équitable, le droit d'être informé de la preuve qui existe contre lui, le droit à une défense pleine et entière, les deux litiges, d'après la Cour, ne portaient pas sur ces questions. Si, pour des raisons linguistiques, le défendeur ne comprend pas la procédure, le tribunal pourrait fort bien se trouver dans l'obligation de fournir une traduction appropriée en vue d'assurer le droit à un procès équitable : mais il s'agit là, en vertu de la *common law*, d'un droit général, et le droit du défendeur de comprendre ce qui se passe dans le prétoire et d'y être compris ne constitue ni un droit distinct, ni un droit linguistique.

La traduction ou l'interprétation simultanée

La Cour suprême statuait également le 1er mai à six contre un dans l'affaire de la Société des Acadiens du Nouveau-Brunswick — où l'on contestait la compétence d'un juge unilingue anglais de siéger avec deux collègues bilingues dans une cause entendue en français — que le droit conféré par la *Charte canadienne des droits et libertés*, et aussi par la *Loi sur les langues officielles* du Nouveau-Brunswick, de parler français ou anglais dans une cour de justice ne garantit pas en soi que l'on sera entendu ou compris dans la langue choisie. Bien sûr, le tribunal saisi de la cause doit être en mesure de comprendre les procédures qui se déroulent devant lui, quelle que soit la langue utilisée par les parties. A défaut cependant

d'un système de tests, c'est au juge lui-même qu'il appartient d'évaluer son degré de compréhension de la langue des procédures et de se récuser si cela est nécessaire.

Tout en signalant que la jurisprudence en ce domaine est susceptible d'évoluer en fonction des circonstances, la Cour ne s'est pas prononcée sur les moyens raisonnables d'assurer qu'un tribunal soit en mesure de comprendre les procédures, la preuve, et les plaidoiries écrites et orales. Elle accepte pour l'instant le recours à un interprète ou à un traducteur, car elle estime que le pourvoi n'a pas soulevé cette question de façon précise.

Que pouvons-nous en conclure ?

La Cour suprême entend ainsi prendre pour l'instant une certaine distance par rapport aux questions linguistiques : elle préférerait les voir tranchées par la voie de la politique, que ce soit par le biais de mesures administratives et législatives ou dans le cadre d'amendements constitutionnels. L'action politique permettrait d'en arriver à un consensus plus acceptable, et se prêterait à des compromis plus réalistes que l'action judiciaire. Reste à savoir si les effets des décisions judiciaires s'avéreront suffisamment puissants pour faire renaître une telle action politique dans un domaine où la tâche paraît plutôt ingrate. Chose certaine, la protection linguistique et « l'égalité dans les faits » ne se trouvent guère plus avancées par suite de ces trois jugements.

Quant à nous, nous ne pouvons que déplorer encore une fois, comme nous le faisions au lendemain de ces jugements, que le tribunal n'ait pas trouvé le moyen d'offrir une interprétation de la Constitution qui soit plus favorable à la concrétisation des droits linguistiques au Canada. Nous regrettons qu'une majorité des juges se soient sentis obligés, autant par leur conception du rôle de la magistrature par rapport à celui des législateurs que par le libellé des lois, de rendre une décision aussi restreinte. Il faudra, à n'en pas douter, se pencher à nouveau sur la formulation des textes juridiques afin qu'ils reconnaissent aux citoyens le droit de se faire entendre et de se faire comprendre du tribunal dans la langue officielle de leur choix — un droit que certains d'entre nous croyaient déjà détenir. En effet, pour garantir ce droit dans le système judiciaire d'une province, les gouvernements fédéral et provincial devront concourir à l'adoption d'une disposition constitutionnelle en ce sens. En attendant, il faudra trouver des solutions concrètes pour assurer le respect des droits linguistiques en matière judiciaire, car ces droits nous paraissent indissociables du droit à l'égalité devant la loi.

La partie XIV (1) du Code criminel

La réforme des procédures judiciaires, et tout d'abord celles des tribunaux fédéraux, revêt donc à nos yeux un caractère prioritaire. Nous souhaitons aussi que les gouvernements, à commencer par le gouvernement fédéral qui a autorité en matière de procédure criminelle, accordent la plus haute importance à l'extension de l'application de la partie XIV (1) du *Code Criminel* à l'ensemble du territoire canadien afin de permettre à toute personne accusée d'un acte criminel de subir son procès devant un juge et un jury qui comprennent et qui parlent sa langue officielle. Cette initiative s'impose, d'après nous, en raison du droit à

l'égalité devant la loi dont bénéficient tous les Canadiens, qu'il s'agisse de la protection ou des avantages qu'elle accorde. Actuellement, la partie XIV (1) n'est en vigueur qu'au Nouveau-Brunswick, au Manitoba, en Ontario et dans les territoires du Nord-Ouest et du Yukon. Au Québec, c'est l'article 555 sur les jurys mixtes qui reste en vigueur.

Nous avons constaté avec plaisir que le ministre de la Justice a pris l'engagement cette année d'accélérer la réforme de l'administration de la justice dans les deux langues officielles, notamment en matière de procédure criminelle. Les gouvernements provinciaux ayant accepté de leur côté d'engager des discussions en vue d'assurer en 1987 l'application partout au Canada de cette partie du Code, il nous semble qu'une solution à la fois équitable et réaliste est maintenant à portée de la main.

Du point de vue pratique, nous croyons qu'en procédant progressivement à la nomination de juges bilingues dans les districts judiciaires où les deux langues peuvent être employées oralement ou par écrit au prétoire, à l'établissement de listes de jurés bilingues et à la mise en place d'une infrastructure composée de greffiers et de sténographes bilingues, on aura créé l'un des éléments nécessaires de la solution. Ces modifications de l'appareil judiciaire coïncideront vraisemblablement avec l'emploi accru des deux langues dans les secteurs d'activités socio-économiques des régions bilingues. Du point de vue du citoyen, l'administration de la justice n'est sans doute qu'un service gouvernemental parmi quantité d'autres ; il préfère du reste ne pas y recourir, et surtout ne pas y être soumis. Mais la justice garde sa valeur de symbole ; de plus, comme tous les organismes dotés d'un pouvoir de contrainte, elle a des effets importants sur la vie quotidienne.

Dieu merci, les rapports de la population avec les pouvoirs publics se situent le plus souvent sur des plans plus engageants que les tribunaux. Pourtant, c'est encore une fois sur cet aspect que les juges se sont penchés en 1986, lorsqu'ils ont abordé la question beaucoup plus générale des droits résiduels du français devant les cours de justice en Saskatchewan et en Alberta.

Le statut du français en Saskatchewan et en Alberta

La question du statut résiduel du français devant les tribunaux provinciaux de la Saskatchewan (affaire Mercure) et de l'Alberta (affaire Lefebvre) réserve bien des surprises au lecteur, voire même au juriste. Les droits linguistiques en question découlent de l'article 110 de l'ancienne *Loi des territoires du Nord-Ouest*. Adopté en 1877, puis révisé en 1880 pour tenir compte de l'évolution des organismes territoriaux, l'article prit sa forme définitive en 1891. Il établissait alors que l'Assemblée législative des territoires et les tribunaux territoriaux seraient astreints aux objectifs du bilinguisme parlementaire, législatif et judiciaire décrété par l'article 133 de la *Loi constitutionnelle de 1867*, pour les institutions fédérales à Ottawa et les institutions provinciales au Québec, et par l'article 23 de la *Loi de 1870 sur le Manitoba*, pour les institutions de cette province. Cependant, en 1891, le Parlement canadien autorisait l'Assemblée législative des territoires à régir elle-même, par des ordonnances ou des règlements, la procédure

parlementaire, la tenue des procès-verbaux et leur publication, à condition que les dispositions en question soient proclamées par le lieutenant-gouverneur.

Cette disposition fut interprétée comme une autorisation fédérale de mettre fin à l'emploi du français à l'Assemblée législative des territoires, mais il semble que la résolution à cet effet ne fut jamais proclamée. Lors de la création des provinces de l'Alberta et de la Saskatchewan, en 1905, les lois en vigueur dans les territoires furent incorporées au droit de chacune en vertu de dispositions transitoires. Cela aurait eu pour effet, selon certains, de reconduire des droits linguistiques qui n'avaient pas été rescindés formellement en droit.

D'autres juristes soutiennent par contre que si l'Assemblée territoriale avait toute autorité pour réglementer la procédure parlementaire, son pouvoir se limitait à celui de régir la langue des débats parlementaires et des procès-verbaux, et ne s'étendait pas à l'abolition de la protection garantie au français comme à l'anglais, ni à la suppression des droits linguistiques qui en découlaient. Enfin, une troisième interprétation veut que l'article 110 n'ait jamais été opposable à la législature ni aux tribunaux de ces deux provinces et qu'il soit devenu inopérant faute d'objet. Si nous nous intéressons encore à cette controverse malgré son aspect théorique, c'est en raison du sort fait par le Parlement canadien lui-même à l'article 110 de la *Loi des territoires du Nord-Ouest* : abrogé en 1906, celui-ci fut rétabli en 1907, mais seulement pour les provinces de la Saskatchewan et de l'Alberta. La controverse n'est du reste pas académique puisque son issue favorisera une conception ou une autre de l'aire bilingue provinciale ou territoriale d'application de droits linguistiques qui dépassent ceux de l'article 23 de la *Charte canadienne des droits et libertés*.

Le statut du français dans les territoires du Nord-Ouest et du Yukon

Le traitement complaisant que l'on réserve ainsi aux dispositions touchant les droits linguistiques de nos concitoyens nous paraît d'autant plus dangereux que l'on semble disposé, et sans autre forme de procès, à exclure de nouveau du champ d'application de la *Loi sur les langues officielles* le Yukon et les Territoires du Nord-Ouest, bien que ces derniers se soient reconnus bilingues en 1984 dans une ordonnance prévoyant l'usage des langues autochtones. En effet, c'est à la suppression dans les faits, sur une part importante du territoire national, du statut d'une de nos deux langues officielles que semble avoir abouti la plaidoirie présentée par le sous-procureur général du Canada à la Cour suprême du Yukon en septembre dans l'affaire St-Jean. « Bien qu'entouré d'amis sincères, le lièvre fut mangé par les chiens », dit la fable polonaise.

Les autres litiges linguistiques

D'autres litiges linguistiques soulevés cette année au Canada et dans les diverses provinces sont résumés plus loin dans le chapitre sur les minorités. Un survol de ceux-ci nous a conduits à privilégier ici un autre dossier que nous considérons tout aussi prioritaire que la question des droits linguistiques en matière judiciaire. Il s'agit des droits linguistiques en matière d'éducation. Il nous semble en effet que ce dossier devrait retenir l'attention au cours des prochains mois, durant

lesquels le gouvernement se propose de mettre à jour la *Loi sur les langues officielles* pour donner une impulsion nouvelle à la réforme du régime linguistique.

Les droits en matière d'éducation

Les tribunaux sauront, espérons-le, continuer à donner à l'article 23 de la *Charte canadienne des droits et libertés*, sur les droits à l'instruction dans la langue de la minorité, son sens le plus large afin d'en respecter le caractère dynamique et d'en assurer une mise en œuvre efficace. Ce n'est que si les tribunaux adoptent une telle interprétation que les Canadiens jouiront pleinement de l'ensemble des droits et libertés promis au moment de la promulgation de la Charte. Mais c'est d'abord aux législateurs qu'il incombe aujourd'hui d'agir. Ceux-ci doivent en effet attacher une importance toute spéciale à la reconnaissance intégrale et réelle des droits à l'instruction dans la langue de la minorité, si on entend véritablement faire croître l'arbre de la dualité linguistique dont les racines plongent au plus profond de notre passé. Du respect intégral des engagements pris va dépendre la nature de la société canadienne de demain. « Les enfants, dit Céline, c'est comme les années, on ne les revoit jamais » ; mais adultes, ils nous jugeront.

La progression vers l'égalité linguistique

Depuis une vingtaine d'années, le gouvernement canadien a permis à beaucoup de citoyens de faire valoir leurs droits devant les tribunaux en soumettant des renvois à la Cour suprême du Canada, en plaidant lui-même dans certaines causes et en subventionnant le coût des contestations judiciaires des particuliers et des groupes. Cette pratique s'étend présentement aux contestations en vue de faire respecter les droits et libertés garantis par la *Charte canadienne des droits et libertés* et les autres droits linguistiques consacrés par la Constitution. On aurait tort de sous-estimer l'importance de cette forme d'appui aux droits fondamentaux ; il est un fleuron de notre démocratie.

Dans le cas des droits linguistiques, cet appui ne saurait cependant être pleinement efficace que si une administration soucieuse de favoriser la progression vers l'égalité la plus complète possible de nos deux langues officielles développe toute une autre gamme d'interventions. L'intervention judiciaire, si importante soit-elle, est de nature à créer un climat d'affrontement laissant un goût amer aux plaideurs ; on doit donc se demander sérieusement, compte tenu du coût de ces initiatives aux divers échelons du système judiciaire et des objectifs poursuivis, si elle constitue dans tous les cas le meilleur investissement possible des fonds publics. Les délais encourus inciteraient souvent à la recherche d'approches complémentaires susceptibles d'entraîner des correctifs plus expéditifs, tout en assurant une meilleure répartition des ressources consacrées à ce dossier. On pourrait, par exemple, favoriser la mise sur pied de programmes mieux adaptés aux véritables besoins des membres des communautés minoritaires de langue officielle et entreprendre des travaux de recherche qui seraient utiles à tous les intervenants. Mais l'on devra surtout susciter une concertation indispensable entre tous les intéressés.

La coopération fédérale-provinciale

Une politique mieux adaptée aux besoins de nos minorités pourrait découler d'analyses conjointes effectuées par les autorités fédérales, provinciales et régionales les plus impliquées en vue de diffuser des services régionaux et municipaux en deux langues dans les régions bilingues du pays. De tels services répondent souvent à un besoin évident, ils sont relativement faciles à organiser, ne sont pas très coûteux à maintenir et, surtout, ils donnent son véritable sens au bilinguisme officiel des instances supérieures de l'État : le bilinguisme de ce dernier ne prend tout son sens que lorsqu'il peut s'appuyer sur le dynamisme de structures régionales et locales bilingues.

Toutes ces initiatives permettraient d'éviter dans bien des cas d'aigrir, pour les années à venir, le climat déjà passablement confus et tendu d'aujourd'hui. Une nouvelle politique en ce sens assurerait mieux la protection des droits linguistiques des Canadiens. Le jour n'est peut-être pas loin où l'on pourra aborder utilement le sujet avec certaines provinces, voire même en conférence fédérale-provinciale. On pourrait alors rechercher les voies d'une mise en œuvre mieux coordonnée de l'égalité des langues officielles au Canada — non seulement en matière d'éducation et d'administration de la justice, mais aussi dans les services de santé et les services sociaux si étroitement liés au bien-être de la population.

Politique et programmes : un certain démarrage

Napoléon a dit : « La faute est dans les moyens bien plus que dans les principes. » Songeant à la performance linguistique du gouvernement en 1986, on se dit qu'il avait sans doute raison.

Le présent chapitre porte essentiellement sur la gestion. En ce domaine, ce ne sont pas les directives et les programmes qui manquent en vue de garantir un traitement équitable au français et à l'anglais dans l'appareil fédéral ; de même, on est loin d'avoir pleinement mis en oeuvre la *Loi sur les langues officielles* de 1969. Tous ces instruments ne sont peut-être pas parfaitement adaptés aux réalités changeantes de la situation linguistique, mais il est certain que nous pourrions les utiliser à meilleur escient. Nous disposons des éléments de base d'un système de gestion hautement perfectionné : c'est ce qu'ont démontré à maintes reprises les organismes et les gestionnaires qui ont décidé de le prendre au sérieux ; le problème, c'est qu'on l'a rarement mis en pratique avec toute l'attention et la cohérence voulues. A cet égard, ce n'est certes pas le gouvernement fédéral qui s'est distingué cette année. Trop occupé à faire son examen de conscience linguistique, celui-ci a brillé par son absence pendant de longues périodes.

La planification stratégique

Comme nous le soulignions dans notre rapport de 1984, la coordination — au sein du gouvernement fédéral, entre celui-ci et les provinces, entre les gouvernements et les divers intervenants — est la condition *sine qua non* du succès de la politique linguistique nationale. Sans concertation, il n'y a guère à espérer en cette matière. Il semble que le gouvernement ait compris cela : quelle qu'ait été la lenteur du processus, la révision à laquelle il s'est attaqué cette année dans le domaine des langues officielles a exigé un grand effort de coordination. Nous sommes heureux de constater qu'on a reçu notre message : aiguillonné par le Bureau du Premier ministre, le Bureau du Conseil privé, le Comité mixte et le Commissariat, le triumvirat des langues officielles — Conseil du Trésor, ministère de la Justice et Secrétariat d'État — est à mettre la dernière main à une stratégie du bilinguisme qui saura peut-être répondre à nos attentes. Cependant, la coordination n'en sera pas moins nécessaire après l'adoption de cette nouvelle

stratégie, et devra même être renforcée à l'étape de la mise en œuvre. A notre avis, un système de coordination efficace des mesures linguistiques devrait comprendre les éléments suivants.

- LE CADRE : Celui-ci doit offrir une perspective d'ensemble des exigences pratiques de la politique des langues officielles à ce moment de notre évolution. Par ailleurs, la compréhension des liens entre les divers aspects s'avère tout aussi importante. Le cadre doit tout autant prévoir les instruments de mise en œuvre au sein du gouvernement et établir les priorités en ce qui a trait aux ressources nationales. En un mot, il doit être complet.

- UN MANDAT EXPLICITE : Aussi étonnant que cela puisse paraître, on n'a jamais, depuis le rapport Laurendeau-Dunton — et ce en dépit de la complexité du programme et du nombre d'organismes concernés — confié explicitement à une ou plusieurs agences du gouvernement le mandat de suivre à la trace et d'harmoniser l'ensemble des interventions, fédérales ou autres, envisagées par la Commission B.B.

- CONTINUITÉ : Ce sont souvent les défaillances de la mémoire institutionnelle qui rendent si profondément frustrante l'application du programme. Compte tenu de la taille de l'appareil fédéral et des nombreux changements de personnel qui s'y produisent, la chose est peut-être inévitable ; mais nous persistons à croire que la planification et la révision du programme des langues officielles provoqueraient moins de traumatismes si on les répartissait mieux dans le temps et si on y allouait, de façon permanente, les ressources professionnelles nécessaires.

- RAPPORTS COMPLETS AUX AUTORITÉS ÉLUES : Si nos divers rapports peuvent rendre compte des progrès d'ensemble accomplis dans la mise en œuvre de la Loi, ils ne sauraient cependant remplacer la soumission régulière au gouvernement et au Parlement, par les organismes chargés d'appliquer la politique linguistique, de rapports détaillés et qu'on souhaiterait empreints d'un esprit d'autocritique. Que l'administration fasse preuve d'une certaine discrétion, passe encore. Mais quand a-t-on déposé pour la dernière fois devant le Parlement un document de ce genre traitant franchement des langues officielles ? Nous serions bien en peine de le dire...

La responsabilité, élément de progrès

Nous en venons ainsi au problème de la responsabilité — certains disent imputabilité —, terme qui englobe pour nous à la fois l'obligation pour les gestionnaires de rendre des comptes en ce qui a trait à l'accomplissement de leurs tâches linguistiques, et celle pour les organismes de rendre des comptes à une agence centrale comme le Conseil du Trésor ou, par le truchement d'un comité, au Parlement lui-même. Au mois de juin, le Conseil annonçait la mise en œuvre

progressive d'une nouvelle philosophie de gestion qui verrait s'accroître les pouvoirs de décision des ministères en même temps que leur obligation de rendre des comptes. Dans le domaine des langues officielles, on remplacera les plans annuels — devenus quelque peu désuets au demeurant — par des « protocoles d'entente » entre les sous-ministres et le Secrétariat du Conseil du Trésor. Ces protocoles fixeront des objectifs dans des domaines précis ; contrôlés par le Secrétariat, ils feront l'objet d'une révision en profondeur à tous les trois ans.

La décentralisation trop rapide des pouvoirs de direction, de promotion et d'évaluation du rendement linguistique des ministères et organismes fédéraux nous inquiète depuis plusieurs années déjà. C'est bien d'avoir des comptes à rendre, mais encore faut-il savoir qui détient l'autorité ultime ; or la tendance, manifestée depuis 1982, à déléguer une plus grande part de la gestion linguistique aux organismes particuliers, et à intégrer certains aspects spécialisés de cette gestion aux activités courantes de vérification interne, de perfectionnement professionnel, etc., a fait en sorte qu'on ne sait plus très bien en fin de compte qui est responsable de quoi.

Les systèmes par lesquels on délègue les tâches, on évalue les résultats et on apprécie les contributions de chacun ne sauraient être infaillibles ; mais on doit se demander si, en pratique, ils contribuent à améliorer la situation et permettent de repérer les problèmes. Car ce qui importe dans le cas d'une loi réparatrice comme la *Loi sur les langues officielles*, c'est de pouvoir mesurer les progrès accomplis.

Ces considérations, et le fait que le gouvernement s'apprêtait à étendre encore la pratique de la délégation des responsabilités en matière de langues officielles, nous ont incités à sonder, dans quelques-uns des grands ministères et organismes, l'efficacité du système de délégation mis en place il y a quatre ou cinq ans. Le Commissariat a confié à un expert-conseil la tâche de mener, dans onze ministères et organismes, des entrevues structurées au sujet de la responsabilité. Les résultats ainsi obtenus ont fait l'objet d'un rapport interne dont on a communiqué l'essentiel au Conseil du Trésor pour servir de base aux discussions. Quatre grandes conclusions ressortent de cette étude :

- On est presque unanime à considérer l'engagement personnel et l'exemple concret des sous-ministres comme l'un des facteurs clés du progrès dans le cadre du système de la responsabilité.

- La délégation des responsabilités et l'intégration au sein d'unités administratives plus larges de certaines tâches linguistiques sont d'une efficacité extrêmement variable ; celle-ci serait déterminée, semble-t-il, 1) par l'engagement manifesté par la haute direction, et 2) par l'importance réelle du pouvoir exercé par les spécialistes des langues officielles.

- En raison des coupures budgétaires, de l'intégration des fonctions linguistiques et de l'absence relative de promotion de la part des agences

centrales, le contrôle et la vérification en matière linguistique ne permettent pas toujours de bien évaluer le programme, que ce soit globalement ou dans des secteurs donnés.

- Malgré le recours, en vertu du nouveau système, aux protocoles d'entente par lesquels les principaux gestionnaires d'un organisme s'engagent à rendre compte de la réalisation de certains objectifs linguistiques, il arrive encore trop souvent que les échecs en cette matière ne suscitent ni commentaires ni sanctions.

Au moment de notre enquête, le gouvernement en était encore à se demander comment gérer le programme révisé des langues officielles : le moment nous semble donc opportun pour le Conseil du Trésor et les autres responsables de la planification linguistique d'y puiser quelques indications en ce qui a trait à l'amélioration du système de responsabilité ; à cet égard, les réactions dont on nous a fait part dans les autres organismes fédéraux au cours de l'année peuvent également être précieuses. Des discussions ont lieu présentement sur les résultats de notre enquête.

Quatre grands principes

C'est à l'œuvre, bien sûr, qu'on connaît l'ouvrier. Cependant, il nous apparaît que l'efficacité d'un régime linguistique repose davantage sur l'application soutenue de certains principes fondamentaux que sur une quelconque réorientation théorique.

Évaluation et vérification

Il va sans dire qu'il ne peut y avoir de véritable responsabilité sans instruments d'évaluation appropriés. En matière de langues officielles, les évaluations prennent diverses formes : ainsi le Commissariat s'efforce, chaque année, d'offrir une appréciation globale des réussites et des échecs eu égard à la Loi ; on évalue par ailleurs l'efficacité d'ensemble de certains éléments précis du programme, par exemple l'aide aux collectivités de langue minoritaire ou la formation linguistique au sein de la Fonction publique ; on vérifie, à l'échelle du système, si les ministères se conforment aux directives du gouvernement ; enfin, les organismes fédéraux évaluent leur propre performance dans un ou plusieurs de ces domaines. Sans connaître le jugement que porte le gouvernement sur la situation, nous supposons cependant, en raison de l'examen en profondeur qu'on a effectué et des importantes modifications qu'on s'apprêterait à apporter à la Loi et aux programmes, qu'il est assez proche du nôtre. Comme nous le verrons, l'évaluation par les agences centrales des programmes de soutien — traduction, formation linguistique, exigences linguistiques des postes, prime au bilinguisme — ont entraîné des modifications aux lignes directrices dans certains domaines précis. Chose certaine, leur vérification de la performance des ministères eu égard aux exigences des lignes de conduite gouvernementales nous a semblé lacunaire en 1986, comme l'ont confirmé largement, du reste, les commentaires que nous ont communiqués certains organismes. Le Conseil du Trésor, en particulier, a été bien peu actif

en ce domaine ; par contre, nous nous réjouissons de ce que son Secrétariat ait conseillé en matière de langues officielles, au cours de l'année, quelque 90 vérificateurs internes appartenant à une trentaine d'organismes. Nous avions indiqué l'an dernier que la vérification interne des objectifs linguistiques, que ce soit au chapitre du contenu ou des méthodes, nous semblait présenter de graves déficiences : l'intervention du Secrétariat ne pouvait donc être que bénéfique.

Le personnel des langues officielles

Une autre question importante en ce qui a trait à la gestion et à la responsabilité est le nombre et le statut des spécialistes des langues officielles au sein des organismes fédéraux. Le Conseil du Trésor semble croire que la nécessité de tels spécialistes se fait moins sentir à l'étape actuelle, et que s'il y a des avantages à ce que les langues officielles fassent l'objet d'un programme à part, il y a aussi un net désavantage : les gestionnaires auraient tendance à négliger leurs obligations linguistiques au profit de responsabilités plus « fonctionnelles ». Telle est la justification de ce qu'on appelle « l'intégration » — et, sur le plan des principes, on n'a pas grand-chose à lui opposer. Mais principes et réalités ne concordent pas toujours. D'après ce qu'on a pu constater en 1986, l'intégration — certains diraient la désintégration — des ressources linguistiques au sein des ministères semble avoir atteint des proportions que même la stagnation générale du programme ne saurait justifier ; en fait, elle pourrait bien contribuer au problème au lieu d'en hâter la solution. Ce n'est certes pas avec des diminutions de personnel de l'ordre de 10 à 75 p. 100 selon les cas dans le domaine des langues officielles qu'on parviendra à accroître la responsabilité dans l'ensemble du système.

Mise en œuvre des recommandations

Dans quelle mesure peut-on forcer les organismes fédéraux à respecter, sinon l'esprit, du moins la lettre de la *Loi sur les langues officielles* ? Voilà une question des plus difficiles. Comment les citoyens — ou le Commissaire qui agit en leur nom — peuvent-ils prouver de façon irréfutable qu'une infraction particulière à la Loi ne provient pas tout simplement de l'erreur d'un individu ou des difficultés intrinsèques que pose le développement de nouvelles capacités bilingues ?

Soulignons une fois de plus qu'il n'existe pas de réponses définitives à ces questions ; tout au plus peut-on se fier à la jurisprudence ou à l'évolution de la *praxis*. Comme la mise en œuvre d'une loi réparatrice ne peut s'effectuer que pas à pas, il est toujours possible de présenter les choses de telle façon que toute personne raisonnable puisse penser, dans certains cas précis, que le gouvernement dispose des moyens pour corriger la situation. C'est ce à quoi le Commissaire et son équipe s'emploient jour après jour, année après année, au nom du Parlement. Sans prétendre à l'infaillibilité, nous nous efforçons de porter des jugements équitables et de recommander des mesures correctives dont l'application ne dépasse pas les bornes du réalisme administratif.

Paragraphe 33(1) de la Loi

Cela étant dit, le Commissaire lui-même, quelle que soit son adresse en tant que protecteur des droits des citoyens, ne peut forcer quiconque à faire quoi que ce soit : ainsi le veut la présente — et peut-être bien la prochaine — *Loi sur les langues officielles*. Celle-ci ne permet au Commissaire que d'exercer une pression morale, tant qu'il lui reste souffle et patience ; elle offre cependant une issue aux situations où la persuasion ne suffit pas. D'après le paragraphe 33(1), en effet, lorsque le Commissaire estime avoir fait tout en son pouvoir pour obtenir d'un organisme fédéral l'action corrective appropriée, il peut soumettre le cas des présumés récalcitrants au Gouverneur en conseil, c'est-à-dire à la plus haute autorité gouvernementale puis, le cas échéant, au plus haut tribunal du pays, le Parlement. C'est à ces deux organismes qu'il revient alors soit de décréter un remède, soit de s'avouer impuissant.

A notre avis, il s'agit là d'une mesure extrême ne convenant qu'aux cas graves. Le Parlement et le Cabinet ont beau être coriaces, s'il nous fallait invoquer le paragraphe 33(1) à chaque impair de l'administration, ils auraient vite fait de crier grâce. Jusqu'à la toute fin de 1986, on ne l'avait invoqué qu'une seule fois, en 1971, pour soumettre un cas au Gouverneur en conseil ; l'action avait alors paru présenter des lacunes sur le plan technique, ce qui explique sans doute qu'on n'y ait pas eu recours pendant les quinze années suivantes. Bref, on n'avait jamais vraiment mis à l'épreuve le recours ultime que la Loi accorde au Commissaire. Au moment où le gouvernement travaillait à la révision de la *Loi sur les langues officielles*, et par le fait même des pouvoirs du Commissaire, nous disposions donc en vertu de la Loi existante d'un pouvoir important dont on n'avait pas mesuré la portée. C'est pour cette raison, et en vue de clarifier toute la question de la mise en application de la Loi, qu'en décembre 1986 et en janvier 1987 le Commissaire a soumis au Gouverneur en conseil, en vertu du paragraphe 33(1), trois rapports portant sur les principales composantes de l'égalité linguistique : le service au public, la langue de travail et la pleine participation. Il lui a par ailleurs fait part de son intention de soumettre les mêmes rapports au Parlement. Cette initiative visait plusieurs objectifs : trouver une issue à certaines impasses systémiques ; offrir au Parlement et au gouvernement l'occasion de préciser les actions qui leur paraissent nécessaires dans chaque cas ; et permettre à nos législateurs, ainsi qu'aux fonctionnaires chargés de la rédaction administrative, de revoir et d'améliorer au besoin les dispositions de la Loi visant les recours et les pouvoirs d'application. A l'heure actuelle, on attend des résultats dans les trois domaines.

Le fonctionnement de l'appareil gouvernemental

Instaurer l'égalité réelle du français et de l'anglais au sein du gouvernement fédéral est une entreprise d'envergure, qui exige des mises au point régulières. Si le gouvernement a consacré tant de temps à la révision du programme linguistique, c'est qu'il lui a fallu, pour être en mesure de relever les défis, à la fois redéfinir les orientations de la réforme et en rajuster les mécanismes de mise en œuvre.

Nos lecteurs assidus connaissent déjà les principales composantes du programme des langues officielles au sein de la Fonction publique : pour les moins avertis, nous les redéfinissons ci-dessous, tout en indiquant le sort qui leur a été fait en 1986.

Exigences linguistiques des postes

En 1972-1973, on décidait que l'établissement d'exigences linguistiques pour tous les postes de la Fonction publique[1] constituait le meilleur moyen d'accroître de façon systématique la capacité bilingue du gouvernement fédéral. Cette mesure, comme tant d'autres, a les défauts de ses qualités : rigoureuse, elle a permis au fil des années une augmentation remarquable de la capacité bilingue ; mais elle peut aussi avoir des conséquences néfastes si on l'applique de façon rigide. En outre, certains gestionnaires, sciemment ou non, trouvent le moyen d'y passer outre ou commettent des abus.

A la fin de 1986, la Fonction publique comptait au total 56 179 titulaires bilingues de postes bilingues, soit 25,1 p. 100 des effectifs. Ces deux chiffres témoignent encore une fois d'une augmentation par rapport à l'année précédente ; de plus, les exigences linguistiques de ces postes ainsi que la compétence en langue seconde de leurs titulaires ont continué leur lente progression. Les amateurs de statistiques trouveront au tableau I.1 une comparaison du nombre et du pourcentage de titulaires qui, en 1983 et en 1986, répondaient — du moins en théorie — aux exigences linguistiques de leur poste.

Tableau I.1
Titulaires de postes bilingues répondants aux exigences prescrites, 1983 et 1986

Compétence	1983 nombre	%	1986 nombre	%
Niveau élémentaire (A)	8 013	15,4	5 737	10.2
Niveau intermédiaire (B)	37 965	72,9	43 182	76,9
Niveau avancé (C)	4 227	8,1	5 214	9,3
Autres niveaux (spécialisés)	1 904	3,7	2 046	3,6
TOTAL	**52 109**	**100,0**	**56 179**	**100,0**

Source : Système d'information sur les langues officielles, 1983 et 1986.

Le système des exigences linguistiques suscite toujours les deux mêmes questions. D'abord, à quel point peut-on encore rehausser la capacité bilingue par le simple fait de relever les niveaux de compétence exigés ? Il faut tenir compte ici des limites à ce que peut accomplir un être humain. Après tout, s'il nous suffisait,

[1] Il ne s'agit ici que des organismes régis par la *Loi sur l'administration financière* et la *Loi sur l'emploi dans la Fonction publique*. Le système des exigences linguistiques n'est pas appliqué de façon aussi rigoureuse dans tous les autres organismes fédéraux.

pour atteindre la sainteté linguistique, de nous adonner à la contemplation de la perfection bilingue, il y a belle lurette que l'on nous aurait tous canonisés. En second lieu, quel est le degré de rigueur qui convient au contrôle exercé sur les gestionnaires ? Trop serré, il leur nuira dans l'accomplissement de leurs tâches ; trop lointain, il risque de les inciter à se contenter d'une feinte conformité ou à négliger leurs responsabilités. Ayant passé des années à étudier la question, nous nous permettons d'adresser au gouvernement ces quelques observations et recommandations.

- Au-delà d'un certain niveau de compétence — disons le niveau B —, la seule façon vraiment efficace pour les employés bilingues, francophones ou anglophones, d'améliorer de façon importante leurs capacités linguistiques est de faire un usage régulier de leur langue seconde au travail, plutôt que de s'efforcer d'atteindre, au moyen de la formation, des objectifs toujours plus élevés. En toute logique, on obtiendrait donc les meilleurs résultats en dosant judicieusement les objectifs et la pratique.

- Le « forçage » des compétences en français d'anglophones bilingues peut sans doute se justifier en tant que mesure provisoire, jusqu'à ce que la demande interne et externe se soit pleinement manifestée. C'est cependant la stimulation de cette demande, et non l'accumulation de « réserves » bilingues au moyen de prétendus programmes de maintien, qui constitue à long terme la seule solution possible.

- De nombreux employés parfaitement dévoués, et qui œuvrent en milieu bilingue, sont cependant d'un unilinguisme qu'on peut qualifier d'incurable : telle est la réalité humaine de la Fonction publique en 1986. Force nous est donc, hélas ! d'accorder aux gestionnaires plus de latitude à cet égard. Mais quelle est la latitude qui convient ? Il n'y a certes pas de mal à tolérer les déficiences individuelles, à condition toutefois que l'organisme fasse le nécessaire pour les compenser, et qu'on ne les invoque jamais pour justifier l'inégalité du français et de l'anglais au travail ou dans le service au public.

- Nous recommandons vivement un relèvement soutenu de la compétence en langue seconde. Les détails d'une telle mesure seraient à déterminer, mais, à titre d'exemple, on pourrait viser une réduction radicale, d'ici à 1990-1991, du pourcentage des postes exigeant le niveau élémentaire (niveau A), ainsi qu'une augmentation à 35 ou 40 p. 100 des postes de niveau avancé (C) dans l'ensemble de la Fonction publique d'ici à 1992-1993. Pour ce qui est de la catégorie Gestion, ce pourcentage devrait se situer entre 50 et 60 p. 100 au minimum.

- On ne doit pas permettre aux gestionnaires de multiplier les exemptions ou les exceptions officielles visant les « irréductibles » de l'unilinguisme : bien

au contraire, les agences centrales et les ministères devraient contrôler plus régulièrement, et de façon beaucoup plus rigoureuse, l'efficacité des mesures compensatoires que ces cas exigent.

Productivité et prime au bilinguisme

En analysant ainsi la productivité réelle du système des exigences linguistiques, nous nous devons d'aborder une mesure qui a fait l'objet, en 1986, d'une nouvelle politique. Il s'agit de la prime au bilinguisme, c'est-à-dire des 800 $ accordés chaque année à tous les fonctionnaires faisant preuve d'un bilinguisme correspondant aux exigences de leur poste (à l'exception de certains groupes, notamment celui de la Gestion).

En 1986-1987, la prime a coûté 45,5 millions de dollars. Conçue à l'origine comme une reconnaissance presque symbolique du fardeau supplémentaire que représentait le bilinguisme pour les employés des échelons inférieurs, elle est devenue, pour des raisons qu'il serait trop long d'exposer ici, un versement uniforme à presque tous ceux dont la compétence bilingue était officiellement reconnue. Le Conseil du Trésor avait laissé entendre, en 1985, qu'il cherchait le moyen d'éliminer les primes superflues — celles accordées, par exemple, aux gestionnaires des échelons intermédiaires et supérieurs dont le bilinguisme est déjà rétribué par ailleurs. Le Conseil cherche-t-il toujours ? Si oui, nous l'en félicitons ; en attendant, sa seule initiative en 1986 aura été d'émettre une nouvelle politique précisant les conditions d'admissibilité à la prime.

L'un des aspects les plus intéressants de la nouvelle politique concerne les procédures de confirmation, qui visent à s'assurer qu'un récipiendaire de la prime la mérite toujours. Par le passé, on a utilisé deux méthodes : celle de l'« ordalie » linguistique et celle, moins ardue, de l'imposition des mains par le surveillant qui confirmait ainsi la vertu bilingue de l'employé. Du point de vue financier, les deux méthodes ont eu à peu près les mêmes conséquences : lorsque les surveillants étaient trop indulgents, les candidats les moins méritants venaient grossir les rangs des élus ; mais les tests visant l'élimination des brebis galeuses se révélaient presque aussi coûteux que la prime elle-même. Quoi qu'il en soit, le système sera plus équitable si l'on revient aux tests ; mais une fois les excommunications prononcées, il faudra veiller à ce que l'Église du bilinguisme s'efforce encore d'améliorer ses services à la communauté.

La formation linguistique

Le gouvernement a par ailleurs cherché à résoudre cette année l'un des problèmes bien connus de la politique des langues officielles : comment en arriver, tout en réduisant les frais, à assurer aux employés une meilleure formation linguistique ? Les modifications apportées semblent prometteuses, bien que l'on puisse craindre certains effets secondaires indésirables. Pour bien comprendre les nouvelles

directives, comparons d'abord les statistiques de cette année et celles de 1983 en matière de formation.

Tableau I.2
Formation en langue seconde offerte par la Commission de la Fonction publique

	1983	1986
Inscriptions à la formation de base continue	3 229	1 898
Inscriptions aux autres cours	8 978	19 028
Total du personnel (enseignement, soutien pédagogique et autre)	744	703[1]
Coût global (en milliers de dollars)	**33 901**	**36 794**

[1] Les effectifs seront réduits à 588 en 1987-1988.

Source : Commission de la Fonction publique.

Les conditions d'accès

D'après les nouvelles directives touchant la formation linguistique, qui doivent entrer en vigueur au printemps 1987, ce sont les besoins immédiats de l'organisme en matière de personnel bilingue qui détermineront les priorités en ce qui a trait à l'accès aux programmes de formation intensive. Les employés qui souhaitent parfaire leur connaissance de la langue seconde pour des raisons de carrière auront pour leur part un accès plus limité à la formation non intensive, et suivront une partie de leurs cours en dehors des heures de travail. Ils sauront d'autre part que le gouvernement ne peut leur consacrer des ressources inépuisables ; s'ils ne réussissent pas, ce sera à eux de se rattraper, à leurs frais et dans leur temps libre. (Les employés qui échoueront au test d'admissibilité à la prime auront droit quant à eux — mais une seule fois — à 200 heures supplémentaires de formation linguistique. Nous ne serons sûrement pas les seuls à voir en cette mesure un excès de bienveillance). Mais puisque ces directives correspondent largement à ce que nous préconisons depuis des années, elles nous paraissent bien sûr parfaitement sensées. Elles permettront de rationaliser « l'économie » de la formation linguistique, tant du point de vue de l'organisation que de la pédagogie et de la motivation, ce qui entraînera, croyons-nous, une hausse de la productivité. Par contre, certains éléments des nouvelles directives — éléments qui ne sont d'ailleurs pas entièrement nouveaux — nous semblent plus douteux. Par exemple :

- l'autorisation donnée aux établissements privés de faire concurrence à la Commission de la Fonction publique pour ce qui est de la formation non prioritaire ;

- le processus de certification devant assurer que l'enseignement privé correspond aux normes du gouvernement ;

- le retour à la formation périodique (par exemple, trois sessions de trois semaines réparties sur six mois) ;

- le retour, au sein des ministères, des programmes destinés à maintenir la compétence en langue seconde lorsque la demande immédiate n'y suffit pas.

Quelles que soient nos réticences, donnons la chance au coureur. Mais il faut tout de même souligner qu'on a déjà appliqué chacune de ces mesures administratives et pédagogiques, notamment au début des années 70, avec des résultats plutôt partagés. Bien sûr, la situation a changé depuis : la Fonction publique dispose aujourd'hui, en théorie et en pratique, de réserves bilingues beaucoup plus importantes, et il lui est plus facile de les accroître en faisant appel à l'extérieur. Cependant, les lois fondamentales de l'efficacité continueront de jouer : si les employés qui bénéficient, pour des raisons de carrière, d'une formation périodique dispensée par la CFP ou le secteur privé n'ont pas besoin des connaissances ainsi acquises pour remplir leurs fonctions, ils auront tendance 1) à perdre leur maîtrise de la langue seconde entre les sessions, et 2) à se contenter des programmes de maintien internes au lieu de s'attaquer à une tâche plus difficile : utiliser leur acquis linguistique au travail. On aurait donc négligé, lors de la révision du programme de formation linguistique, d'y incorporer des mesures visant à stimuler la demande de services dans la langue officielle du client et à inciter les fonctionnaires à utiliser leur propre langue au travail. A défaut de cela, vouloir assurer la formation linguistique des employés, et notamment de nombreux anglophones, c'est donner un coup d'épée dans l'eau.

Traduction

Au sein de la Fonction publique, le rôle de la traduction est de combler, avec un maximum d'efficacité, l'écart entre l'unilinguisme justifiable des individus et les besoins linguistiques de l'organisme. Or comme l'unilinguisme individuel diminue nécessairement avec la croissance du bilinguisme institutionnel, on doit s'attendre à ce que la demande en matière de traduction, et les types de traduction nécessaires, se modifient d'année en année. Ajoutons à cela que le volume de ce que le Parlement et le gouvernement jugent digne d'être rendu public augmente au fur et à mesure que l'on perfectionne les outils de communication, et l'on comprendra sans peine les difficultés qu'ont connues les gouvernements successifs lorsqu'ils ont tenté à la fois de réduire les frais de traduction et de répondre aux attentes de plus en plus grandes suscitées par la *Loi sur les langues officielles*.

Faire mieux avec moins ?

D'après les statistiques sur la traduction pour 1984-1985 et 1986-1987 (tableau I.3), il semble que le Service des langues officielles[1] cherche aujourd'hui à traduire à peu près autant de mots qu'il y a deux ou trois ans, avec à peu près le même budget en dollars constants, mais avec un personnel réduit.

[1] Autrefois Bureau des traductions.

Tableau I.3
Volume de la traduction et ressources humaines et financières du Service des langues officielles, 1984-1985 et 1986-1987

	1984-1985	1986-1987
Millions de mots	268	267
Années-personnes	1 774	1 492
Milliers de dollars	67 687	68 534

Source: Secrétariat d'État.

Donc, le Service continue de traduire, chaque jour, l'équivalent d'une Bible et demie, et ce avec moins de traducteurs permanents et sans augmentation de crédits. En outre, bien qu'on ait fixé une limite au volume de la traduction, il semblerait que la demande réelle justifiée augmente de 10 à 20 p. 100 par année, sinon plus. Pour régler ce délicat problème, le gouvernement a adopté une démarche en trois points : éliminer à la source la traduction dite superflue ; faire des économies au moyen d'innovations technologiques ; et confier les travaux excédentaires à des pigistes, qui coûtent théoriquement moins cher. Certaines questions continuent néanmoins de se poser : Les besoins légitimes en matière de traduction sont-ils aussi stables que semble l'indiquer le plafonnement imposé ? En exigeant des traducteurs une plus grande productivité, parvient-on à maintenir, globalement, une qualité acceptable ? Et compte tenu du fait qu'elle exige un contrôle supplémentaire de la qualité, la traduction à la pige est-elle vraiment moins coûteuse ?

Les problèmes de gestion touchant le secteur de la traduction ressemblent à s'y méprendre à ceux que l'on retrouve dans les domaines de la formation, des exigences linguistiques et de la responsabilité : c'est qu'ils découlent tous, manifestement, du problème fondamental des ressources, que nous abordons plus loin. Nous avons des raisons de penser que le Secrétariat d'État est bien conscient des problèmes financiers reliés à la traduction. Quant à nous, il nous semble que dans l'état actuel des choses, alors même que nous attendons une *Loi sur les langues officielles* plus explicite et plus complète, c'est au Parlement et au public que le Service des langues officielles doit accorder la plus haute priorité ; il faut en même temps s'efforcer de diminuer le volume de la traduction aux fins internes, à mesure qu'augmente la capacité bilingue de la Fonction publique.

La question de la langue de travail illustre bien la nécessité de cette priorité. On peut affirmer sans risque d'exagération que deux facteurs sont indispensables à la réussite, notamment dans la région de la Capitale nationale, de la politique en matière de langue de travail : 1) la croissance du nombre de francophones décidés à faire usage de leur langue lorsque la situation le permet, et 2) l'élimination de toutes les formes de traduction destinées aux anglophones

supposément bilingues, à qui elles servent de béquille ; dans la région d'Ottawa-Hull, en effet, le bilinguisme réceptif qui permettrait de s'en passer est à la portée de la grande majorité. Du reste, les employés d'expression anglaise ne parviendront jamais au bilinguisme actif tant que les francophones se laisseront décourager par leur « unilinguisme » et qu'on leur offrira régulièrement le luxe de la traduction, notamment de la traduction simultanée. Bref, l'abolition progressive d'une partie de la traduction aux fins internes constitue sans doute une condition *sine qua non* pour accéder au paradis linguistique promis par le premier ministre Lester Pearson en 1966 : dans la Fonction publique qu'il décrivait alors, Canadiens de langue française et anglaise travaillaient ensemble à leurs tâches communes, chacun utilisant sa propre langue officielle dans la certitude heureuse d'être compris. Si ce paradis nous semble aujourd'hui encore lointain, nous y sommes sans doute pour quelque chose.

Les ressources financières et le facteur humain

Comme nous l'avons indiqué au premier chapitre, le programme linguistique du Canada se trouve depuis quelque temps à la croisée des chemins : ou bien nous le relançons vigoureusement, ou nous déclarons forfait. Dilemme linguistique et dilemme national ne font qu'un : dans quel pays voulons-nous vivre, et à quels sacrifices consentirons-nous pour maintenir l'intégrité de la famille canadienne contre l'affrontement des clans ? Clairement définie et fermement appliquée, la politique linguistique nationale nous préserverait de bien des maux ; mais si le fossé s'élargit entre les promesses de plus en plus alléchantes et le manque évident d'intelligence, de courage, de cœur ou d'argent qu'on met à les réaliser, elle ne peut au contraire que contribuer à nos difficultés. Il est plus que temps d'évaluer globalement les ressources financières et humaines qu'exige la politique linguistique si nous voulons qu'elle contribue à la réconciliation nationale. La plupart des Canadiens préfèrent vivre en bonne intelligence avec leurs voisins, quelle que soit leur origine culturelle ou linguistique, et ils sont nombreux à connaître les effets profondément dégradants de l'intolérance linguistique.

Les vertus de l'imagination

On dit que la nécessité est mère de l'invention : nombre de fonctionnaires ont fait preuve en 1986 d'une capacité d'invention personnelle assez remarquable ; l'importance des enjeux exigerait que le gouvernement les imitât. Si tout se tient dans notre système de gestion linguistique, il faut pourtant de l'imagination pour bien comprendre les liens entre ses divers éléments ainsi que l'apport de chacun d'eux à la réalisation de nos objectifs. Or le gouvernement ne semble pas avoir pleinement exploité toutes les ressources de son imagination : il s'adonne plutôt au rafistolage, sans perspective d'ensemble et sans établir clairement les priorités. Étant donné l'importance d'une gestion de la plus haute qualité pour la difficile réforme qui s'annonce, nous conclurons sur quelques remarques générales.

- Pour relancer véritablement le programme des langues officielles, il faudra coordonner de façon suivie tous les aspects conceptuels de la gestion, et mettre en place une équipe dynamique qui aurait pour tâche d'interpréter

le message au profit de ceux et celles qui se trouvent sur la ligne de feu ; la formation d'un groupe de travail représentant divers organismes pourrait répondre, du moins au début, à ce besoin. Chose certaine, les rivalités interministérielles qu'on a connues ces dernières années seraient fatales à la réforme, et il faut les éviter à tout prix.

- Par souci d'économie, on a dû couper non seulement dans le superflu du programme mais aussi, parfois, dans l'essentiel ; en fait, on risque même d'en revenir à l'époque où l'on tentait d'assurer le fonctionnement d'une grande entreprise nationale par des moyens artisanaux. Nous sommes prêts à admettre qu'on peut encore faire quelques économies en modifiant les priorités, la répartition des ressources et l'organisation, mais les sommes ainsi gagnées ne suffiront même pas à subvenir aux besoins vitaux de l'avenir, encore moins à financer l'ensemble de ce que nous souhaitons. Ainsi, qu'il s'agisse des ressources humaines ou financières nécessaires, il nous faut tout mettre en œuvre pour assurer la relance de la réforme de notre régime linguistique.

Le Comité mixte permanent : avec plus d'audace

Le Comité mixte permanent des langues officielles — qui a conservé ses coprésidents, mais dont la composition a été considérablement modifiée à l'automne — a poursuivi cette année son examen du Rapport annuel de 1984 du Commissaire et étudié celui de 1985. Il a fait le tour des grandes questions qui y sont abordées, et notamment des propositions visant la mise à jour de la *Loi sur les langues officielles*. N'ayant pu tenir à travers le pays, comme il le souhaitait, une série d'audiences sur la situation des minorités de langue officielle, le Comité s'est penché sur l'ensemble des problèmes de ces communautés et plus particulièrement sur leur droit à l'instruction dans leur langue. Pour ce faire, il a consulté des spécialistes de diverses disciplines dont le droit, la démographie, la sociologie, la géographie et les sciences de l'éducation. Il a aussi invité à comparaître devant lui les porte-parole d'organismes représentant les communautés de langue minoritaire : la Société nationale des Acadiens, Alliance Québec et la Fédération des Francophones hors Québec, ainsi que l'Association canadienne d'éducation de langue française, la Fédération canadienne des enseignants, la Canadian Parents for French et la Commission nationale des parents francophones. En fin d'année, le Comité a entrepris de convoquer de nouveau des représentants d'organismes fédéraux. Le peu d'empressement de certains d'entre eux à se conformer à la Loi leur a valu une triste renommée, alors que d'autres ont montré la marche à suivre. Le Commissaire aux langues officielles a comparu à plusieurs reprises, se faisant un plaisir d'offrir son concours.

La réforme du régime linguistique

Plusieurs témoignages ont porté sur les lacunes de la politique des langues officielles : le manque de coordination entre les programmes fédéraux d'une part, entre ceux-ci et les programmes provinciaux d'autre part, ainsi que les pratiques de nombreuses administrations régionales et locales. Certains spécialistes ont fait part au Comité de leur inquiétude face au manque d'uniformité des démarches du gouvernement fédéral lui-même : chaque ministère ou organisme poursuivant ses propres objectifs en matière de langues officielles, sans toujours respecter les normes établies. Lorsque les divers intervenants de la politique nationale n'agissent pas de concert, les mécanismes régionaux de coordination et de contrôle font souvent défaut — et le public, au bout du compte, se perd dans ce dédale.

Le cadre juridique

Les membres du Comité se sont aussi penchés sur la question du bilinguisme judiciaire. Ils ont fait appel à un éminent professeur de droit qui a tenté, après avoir passé en revue les droits linguistiques reconnus au Canada et les garanties offertes par la Constitution, d'indiquer quelles mesures permettraient de mieux établir ces droits, principalement dans le domaine judiciaire.

Les droits scolaires

Le Comité travaille à l'élaboration d'un rapport sur les droits scolaires. L'Association canadienne d'éducation de langue française, la Fédération canadienne des enseignants et la Commission nationale des parents francophones lui ont fait part de constatations peu encourageantes sur les faibles progrès observés en matière d'instruction dans la langue de la minorité depuis l'adoption de l'article 23 de la *Charte canadienne des droits et libertés*. Des spécialistes ont notamment rappelé aux membres que les responsables de l'enseignement dans la plupart des provinces avaient encore trop de latitude quant à l'ouverture de classes ou d'écoles françaises. En l'absence de nouvelles dispositions législatives visant à faciliter l'accès à l'instruction en français, l'exercice par les minorités des droits consacrés par la Charte est toujours aussi difficile. Le Comité a étudié la situation à cet égard dans plusieurs provinces anglophones où l'on continue d'offrir aux francophones l'immersion française ou un enseignement essentiellement bilingue, au lieu d'adopter des lois qui favoriseraient l'homogénéité linguistique des écoles de la minorité.

Enfin, la Canadian Parents for French a évoqué la possibilité d'une interprétation plus généreuse de l'article 23 de la Charte, qui accorderait à tous les citoyens canadiens le droit de faire instruire leurs enfants dans des classes immersives de langue minoritaire dans leur province.

La démographie linguistique

Le Comité s'est également interrogé sur la santé démolinguistique des minorités francophones hors du Québec. A la suite du recensement de 1981, il apparaît en effet que l'exogamie se fait de plus en plus fréquente chez ces groupes, ce qui influe évidemment sur les taux de transfert linguistique. Toutefois, de l'avis d'un spécialiste, quelle que soit la portée de ce phénomène, la tendance actuelle serait à la consolidation des zones de transition entre les régions essentiellement francophones et anglophones du pays plutôt qu'à la polarisation territoriale. Selon un autre spécialiste, un des paradoxes de l'évolution récente dans les mutations culturelles du Québec ferait que certaines régions de cette province risquent de devenir culturellement plus anglaises que par le passé : ainsi on observerait aujourd'hui qu'en conséquence de la *Charte de la langue française*, les écoles anglaises à l'extérieur de Montréal sont souvent principalement fréquentées par des Québécois de souche britannique.

A l'ordre du jour

Après avoir reconstitué son comité directeur, le Comité s'est donné en fin d'année un programme de travail pour la nouvelle session. Donnant une ampleur nouvelle à une coutume bien établie, il a entrepris de convoquer à des audiences publiques les représentants d'une douzaine d'organismes gouvernementaux. A leur première comparution, ceux-ci doivent s'expliquer sur les raisons qui empêchent leur

organisme de se conformer pleinement à la *Loi sur les langues officielles* et de satisfaire, dans certains cas, aux normes minimales atteintes ou dépassées par la plupart des autres organismes fédéraux. Puis, fait nouveau, on les invitera à comparaître une deuxième fois quelque six mois plus tard pour faire le point sur les progrès accomplis... et une autre fois encore si le besoin s'en fait sentir.

Nous nous réjouissons de cette initiative qui renforce la complémentarité entre les rôles du Comité et du Commissariat au service de la réforme de notre régime linguistique. En effet, l'expérience du Commissariat a démontré que si l'on veut qu'un organisme donne suite aux recommandations qui lui sont faites ou aux engagements qu'il a pris au fil des ans, l'examen systématique et répété, par un Comité parlementaire, des mesures adoptées est un excellent moyen d'obtenir des résultats en incitant les hauts fonctionnaires à assumer pleinement leurs responsabilités.

Le Comité mixte permanent ou certains de ses membres seront sans doute invités à se pencher sur les propositions gouvernementales de mise à jour de la *Loi sur les langues officielles*. Nous collaborerons volontiers avec le comité législatif qui disposera d'ailleurs du rapport que nous avons déposé à ce sujet en février 1986.

PARTIE II

L'égalité linguistique en trois dimensions

L'égalité linguistique en trois dimensions

Le rythme de la réforme du régime linguistique au sein de l'administration fédérale en 1986 nous fait irrésistiblement pensé à un grand voilier encalminé dont l'équipage s'agite sur les ponts pour tromper son ennui. Si certains ministères et organismes ont amélioré leur rendement, la plupart se sont contentés de faire du sur place. Les résultats de notre examen des trois grands volets de la réforme — service au public, participation équitable et langue de travail — indiquent clairement que le gouvernement se doit d'insuffler un nouvel élan à son programme linguistique. Cet effort doit porter sur plusieurs points : il doit faire connaître ses intentions de manière explicite ; les organismes centraux doivent assumer leur rôle de direction de façon claire et ferme ; les ministères et sociétés de la Couronne doivent s'engager à fond et faire preuve d'imagination ; et il faut mettre en place ou renforcer les mécanismes de contrôle nécessaires pour déterminer la mesure des progrès.

Les trois volets du programme des langues officielles traités dans cette partie du Rapport ont leurs assises dans la *Charte canadienne des droits et libertés*, la *Loi sur les langues officielles* ainsi que la *Résolution parlementaire sur les langues officielles dans la Fonction publique* de 1973. Ces trois aspects sont interdépendants ; leur objectif global est de réaliser une authentique égalité de statut entre les deux langues officielles.

Avant d'étudier en détail chacun de ces éléments, il convient de souligner l'importance des vérifications et des plaintes, ainsi que d'autres sources d'information, dans notre évaluation des progrès de la réforme au sein des ministères et organismes fédéraux. Nous exposons également ci-après les résultats préliminaires d'une étude sur le traitement électronique des données et ses répercussions sur le plan du service au public et de la langue de travail.

A l'œuvre on connaît l'ouvrier...

Vérifications et suivis

Dans nos efforts pour évaluer de façon objective et équitable les progrès accomplis dans la mise en œuvre du programme des langues officielles, nous avons recours à diverses sources d'information : vérifications, plaintes, rapports des agents de bureau, des associations minoritaires et consultation d'autres experts. Nos

vérifications linguistiques constituent l'un des moyens les plus précis pour évaluer dans quelle mesure un organisme se conforme aux exigences du programme. En 1986, nous avons effectué 34 vérifications et suivis auprès d'un échantillon de ministères fédéraux et de sociétés de la Couronne. Les vérifications sont particulièrement utiles pour découvrir les « obstacles systémiques » à la réforme du régime linguistique, en faisant ressortir par exemple qu'un ministère ou un organisme donné n'a pas su reconnaître les besoins spéciaux d'une communauté minoritaire ou s'y adapter, ou encore que les gestionnaires ont failli à leur devoir d'informer les employés de leurs droits et de leurs obligations linguistiques. Environ un an plus tard, nous effectuons un suivi afin de déterminer ce qu'il est advenu de nos recommandations.

Nos appréciations reposent également sur les connaissances et l'expérience de nos agents de bureau, qui entretiennent des rapports réguliers avec les ministères, organismes et sociétés de la Couronne. Des études spéciales, comme celle que nous avons effectuée cette année sur les aspects linguistiques du traitement des données, nous apportent un complément d'information sur la situation à l'échelle de l'administration fédérale et au sein d'organismes particuliers. Nous avons aussi accès aux statistiques compilées notamment par le Secrétariat du Conseil du Trésor, la Commission de la Fonction publique et Statistique Canada. Enfin, des études comme celle réalisée par la Fédération acadienne de la Nouvelle-Écosse sur les services fédéraux assurés dans la langue de la minorité dans diverses régions nous sont aussi très utiles.

Cette année, nous avons organisé nombre de rencontres avec les directeurs des langues officielles de plusieurs ministères et sociétés de la Couronne afin d'échanger des idées et de confronter nos conclusions. Elles sont essentiellement les mêmes : la réforme du régime linguistique n'a plus le vent dans les voiles, et le souffle tant attendu de la relance ne s'est pas encore manifesté. Il n'est donc pas étonnant que le moral de l'équipage soit plutôt bas.

Les plaintes individuelles

Par ailleurs, les plaintes individuelles sont un excellent moyen *d'apprécier directement* le rendement linguistique de l'administration fédérale. Notre système de plaintes permet à ceux dont les droits linguistiques ont été lésés d'obtenir réparation, ou à tout le moins de faire en sorte que la situation ne se reproduise plus.

En 1986, nous avons reçu plus de 3 500 plaintes, dont 1 784 ont été portées contre le Service canadien du renseignement de sécurité (SCRS) par des employés qui contestaient, avec raison, l'unilinguisme anglais des documents transmis aux bureaux du Québec. Si l'on fait abstraction de ces cas, nous avons été saisis de quelque 1 700 plaintes, une augmentation d'environ 40 p. 100 par rapport à 1985.

Le nombre de plaintes mettant en cause l'accueil téléphonique est passé de 145 à 240 cette année, tandis que celles portant sur les communications écrites avec le public ont plus que doublé, passant de 62 à 149. Celles touchant l'accueil en personne et la langue de travail (exception faite du SCRS) ont également fait un

bond, passant respectivement de 125 à 226 et de 145 à 241. Cette forte augmentation donne à penser que la mise en œuvre du programme des langues officielles dans les ministères et organismes fédéraux n'a pas reçu la même attention que dans le passé.

Entrées-sorties en anglais

Traitement électronique des données

En 1985, le Secrétariat du Conseil du Trésor a enfin commencé à se pencher sérieusement sur les aspects linguistiques du traitement électronique des données et de la bureautique. Bien que ces systèmes aient été introduits il y a une trentaine d'années, aucune politique actualisée n'avait encore été adoptée quant à leurs répercussions linguistiques à la fin de 1986. Il y aura donc beaucoup à faire pour rattraper ce « retard linguistique ». Néanmoins, certains organismes fédéraux, notamment la Banque du Canada, ont réussi avec succès à mettre en place des systèmes informatiques bilingues.

Tels sont les résultats préliminaires d'une étude que nous publierons indépendamment du Rapport annuel, et qui traite des trois éléments clés de la bilinguisation des systèmes de traitement électronique des données : les claviers, les écrans et les imprimantes doivent être conçus de façon à recevoir, à afficher et à imprimer les accents ; le logiciel doit être disponible dans l'une et l'autre langue, ou en version bilingue ; les manuels et les cours de formation doivent être offerts dans les deux langues.

Tout indique que le Secrétariat du Conseil du Trésor a entrepris d'examiner sérieusement la question. Le ministère des Communications, pour sa part, a créé un comité chargé d'élaborer des normes pour l'intégration des signes diacritiques aux claviers des ordinateurs. Des mesures immédiates doivent être prises afin d'assurer que tous les nouveaux systèmes informatiques ou de bureautique satisfassent aux exigences en matière de langues officielles, et que les anciens soient modifiés en conséquence. En dernier lieu, notre étude recommande que le gouvernement fédéral et les provinces mettent en commun leur pouvoir d'achat afin de favoriser la mise au point de matériel et de logiciel français et bilingues au Canada.

Nous entreprendrons de nouvelles études en 1987 en vue de cerner les obstacles systémiques à la réforme du régime linguistique. Mais les études, les nôtres comme celles du gouvernement, ne doivent pas servir de prétextes à l'inaction : c'est dès maintenant qu'il faut mettre en œuvre les mesures permettant de corriger la situation. Nous tentons dans les chapitres qui suivent de montrer la voie.

Service au public : une relance qui se fait attendre

Les autorités fédérales peuvent être fières des progrès réalisés depuis 1969 sur le front de la langue de service. Toutefois, nous sommes hélas encore loin, dans la vie de tous les jours, de l'égalité de statut, de droits et de privilèges du français et de l'anglais proclamée par la *Loi sur les langues officielles* et la *Charte canadienne des droits et libertés*. Sans une action tenace de la part du gouvernement il y a fort à craindre, au rythme où vont les choses, que nous mettrons encore bien des lustres avant de passer de l'égalité formelle à l'égalité réelle... si jamais nous y parvenons.

Aussi avons-nous cru opportun de rappeler dans le présent chapitre certains grands principes et de mettre en relief, à l'aide d'exemples, les principaux obstacles qui empêchent les francophones et les anglophones de bénéficier dans leur langue des services auxquels ils ont droit. Ce survol nous permettra d'indiquer de nouveau certaines des voies que le gouvernement et l'administration peuvent emprunter pour mieux traduire dans la réalité les principes généraux qu'ils se sont donnés.

Quinze ans après l'adoption de la *Loi sur les langues officielles*, le Commissaire formulait dans son Rapport annuel de 1984 une série de propositions à l'intention des autorités, au sujet notamment : de l'offre active de services bilingues au public ; de la nécessité de veiller à ce que les organismes à caractère coercitif (police, douanes, fisc, etc.) offrent activement leurs services dans les deux langues ; et de la nécessité de fixer aux dirigeants des objectifs précis et de leur fournir les moyens de les atteindre. Il y insistait sur l'idée que la relance de la réforme était essentielle au progrès, et qu'elle correspondait par ailleurs aux intentions déclarées du nouveau gouvernement.

En 1985, le renouveau attendu ne s'est pas produit. Les études et vérifications du Commissariat, de même que l'analyse des plaintes reçues, révélaient que ces recommandations n'avaient guère eu de suite. En conséquence, son Rapport de 1985 incitait le gouvernement à prendre sans plus tarder tous les moyens de mettre en œuvre une relance concertée.

Qu'en est-il de la situation en 1986 ? La relance préconisée n'est pas enclenchée, et la prestation des services bilingues souffre encore de graves lacunes dans nombre d'organismes fédéraux et dans plusieurs régions.

L'offre active

Pour éliminer les inégalités en matière de service au public, il faut en tout premier lieu s'assurer que les services soient activement offerts en français et en anglais. En effet, dès le contact initial, l'usager doit comprendre qu'il peut, en s'exprimant dans sa langue, obtenir le service souhaité.

L'offre active de services est indissociable d'un bilinguisme effectif dès l'accueil téléphonique on en personne, et comporte, dans les cas où c'est l'organisme gouvernemental qui prend l'initiative de la communication, l'utilisation de la langue du client par le fonctionnaire fédéral.

En outre, pour que l'offre de services soit véritablement équitable à l'endroit des deux communautés de langue officielle, il importe de déployer des efforts comparables pour promouvoir les programmes et diffuser dans les deux langues toute l'information pertinente sur les services qui en découlent. Cette question, pourtant fondamentale, est négligée par de nombreux ministères et organismes, pour qui le bilinguisme du personnel d'accueil supplée aux carences linguistiques des agents chargés de la prestation des services.

Bref, le principe de l'offre active de services a précéance sur tous les autres et doit s'appuyer sur la présence, dans une unité de travail donnée, du personnel apte à assurer le service dans la langue appropriée. Dans cette optique, tout bureau où se manifeste une demande importante devrait disposer en tout temps d'au moins un employé effectivement bilingue (c'est-à-dire possédant le niveau de compétence supérieur dans la langue seconde) et donc capable d'établir une communication efficace entre l'usager et l'organisme fédéral concerné, quelle que soit la complexité du cas.

Demande importante et vocation du bureau

Bien que la notion de « demande importante » soit inscrite dans la *Loi sur les langues officielles* et qu'elle ait été reprise dans la *Charte canadienne des droits et libertés*, au paragraphe 20(1), les organismes fédéraux ne lui ont pas encore accordé toute l'attention nécessaire. Cette importante notion — qui, rappelons-le, doit s'appliquer à chaque « bureau » de l'administration fédérale — n'a fait l'objet d'aucune précision en 1986, de sorte que de nombreux ministères et organismes, d'après nos vérifications et suivis récents, semblent toujours ignorer s'il y a ou non « demande importante » de services auprès de tel ou tel bureau. D'autres reconnaissent d'emblée que les services offerts par leurs bureaux font l'objet d'une « demande importante » dans plusieurs régions ou sphères d'activité, tout en admettant qu'ils n'ont pas les ressources nécessaires pour y répondre adéquatement. Très nombreux sont les organismes qui accusent de graves faiblesses en ce domaine et qui doivent s'employer à corriger ces lacunes dans les meilleurs délais, sous l'impulsion des organismes centraux.

Il en est de même de la notion de « vocation du bureau », qui apparaît également dans la Charte, et qui demeure encore presque inconnue des organismes fédéraux. Il n'est donc pas étonnant de constater que les agences centrales n'ont pas encore clarifié cette notion qui pourrait avoir une incidence sur certains services.

Le Secrétariat du Conseil du Trésor a entrepris il y a longtemps de préciser ces notions, mais les résultats de sa réflexion se font attendre. Espérons que ses définitions et ses critères seront suffisamment généreux pour garantir une offre de services de qualité à nos minorités de langue officielle. Les services bilingues qui seront offerts à titre expérimental devront être pleinement accessibles aux intéressés pendant une période assez longue pour permettre à la demande — jusque-là informulée pour des raisons évidentes — de s'exprimer.

Quelques obstacles aux services bilingues

Certaines lignes de conduite et certains arrangements administratifs ne tiennent pas suffisamment compte des exigences fondamentales de la Loi et de la Charte. En voici quelques-uns :

- Certains services fédéraux ne comptent tout simplement pas, parmi leur effectif, un nombre suffisant d'employés bilingues.
- Trop souvent, la répartition du personnel ne correspond pas aux besoins des minorités de langue officielle ; là où les ressources bilingues sont insuffisantes, les ministères devraient au moins assurer un équilibre judicieux entre bilingues et unilingues au sein de leurs unités de travail.
- Environ 8 000 des 64 000 postes de la Fonction publique déclarés bilingues par les organismes eux-mêmes, soit 12,5 p. 100, sont occupés par des titulaires qui ne satisfont pas aux exigences linguistiques de leur poste.
- Il existe encore trop de postes désignés bilingues par les ministères et organismes qui n'exigent que le niveau A de bilinguisme, soit la norme minimale de la Fonction publique ; cette norme, les plaintes le montrent bien, ne correspond pas à une compétence linguistique suffisante pour l'exercice de la plupart des fonctions que sont appelés à remplir les agents de l'État ; quant à la norme supérieure, elle demeure l'exception, comme le révèlent les chiffres du tableau II.1.

Tableau II.1

Postes bilingues occupés, selon le niveau de compétence exigé

Niveau	Nombre	Pourcentage
C (supérieur)	5 633	8,8
B (intermédiaire)	49 758	77,7
A (élémentaire)	6 464	10,1
Autres	2 187	3,4
TOTAL	**64 042**	**100,0**

Source : Conseil du Trésor, Données statistiques du Programme des langues officielles, juin 1986.

- En ce qui concerne les postes bilingues de la Fonction publique, si on ajoute aux 8 000 titulaires unilingues les quelque 7 000 employés de qui on n'exige que le niveau de compétence élémentaire, on remarque que près du quart des titulaires de postes bilingues ne peuvent communiquer efficacement avec le public dans les deux langues officielles.

- L'information et la formation relatives à la Loi, à la Charte et aux exigences en matière de service bilingue font encore gravement défaut, ce qui laisse trop souvent le public à la merci de l'arbitraire ou de l'incohérence administrative de certaines unités de travail.

Santé et sécurité du public

Dans les situations d'urgence, le « bilinguisme » de certains organismes fédéraux pourrait avoir des conséquences sérieuses pour la santé et la sécurité des citoyens. Qu'il s'agisse des moyens de transport, des bureaux ou installations des ministères et agences, ou encore des services fédéraux de police et de sécurité, nous avons noté des situations qui présentent des déficiences linguistiques regrettables.

Relevons quelques exemples :

- Les services bilingues à bord des trains laissent souvent à désirer ; dans les cas d'urgence, la sécurité des passagers unilingues pourrait s'en trouver compromise ; dans le rapport soumis au Gouverneur en conseil en décembre 1986, le Commissaire a fait état de l'importance pour le CN et Via Rail de prendre sans tarder les mesures qui s'imposent ; le prévisible démenti de VIA Rail ne l'a pas impressionné outre mesure.

- En juillet dernier, à son arrivée à North Sydney en Nouvelle-Écosse, le traversier *M.V. Caribou* de Marine Atlantique s'apprêtait à abaisser sa passerelle de plusieurs tonnes lorsqu'un bris mécanique la fit s'effondrer ; sans tarder, les passagers furent priés, en anglais seulement, de remonter au pont cinq. Ce n'est qu'une demi-heure plus tard que l'annonce fut répétée en français. Fort heureusement, personne ne fut blessé.

- A bord des avions, il arrive parfois que les messages relatifs à la sécurité ne soient communiqués qu'en anglais, ou que la version française soit diffusée avec un long retard.

Organismes dotés d'un pouvoir coercitif

Dans son Rapport de 1984, le Commissaire recommandait au gouvernement de confirmer expressément, dans sa politique, l'obligation pour les organismes disposant d'un pouvoir coercitif d'accorder une attention particulière à l'offre active de services bilingues. La recommandation n'a pas été suivie et, dans de multiples cas, les services concernés — ceux par exemple de la police, des douanes, de l'impôt, des organismes qui accordent des subventions, etc. — ne sont pas offerts activement dans les deux langues. Voici deux exemples parmi bien d'autres :

- Au Manitoba, un conducteur francophone se fait arrêter par un agent de la Gendarmerie royale ; malgré son insistance, il ne peut obtenir des explications dans sa langue, ni être informé de la manière de les obtenir.

- A cause des nouvelles modalités de partage des dossiers entre la Commission nationale des libérations conditionnelles et le Service correctionnel du Canada, un détenu anglophone de l'établissement Leclerc, au Québec, a dû patienter deux mois avant de recevoir en langue anglaise les rapports préliminaires relatifs à sa comparution devant la Commission : les nouvelles modalités prévoyaient que la traduction serait faite à Ottawa, sans tenir compte des retards que cela entraînait.

Il faut une bonne dose de courage, lorsqu'on a affaire à un agent qui détient un pouvoir coercitif, pour faire valoir ses droits linguistiques. Un service équitable dans les deux langues est donc des plus impératif.

Quand le public parle : les plaintes

Les plaintes concernant les déficiences des services fédéraux ont augmenté sensiblement en 1986 : leur nombre est passé de 913 en 1985 à 1 583 cette année ; soit une augmentation de 73 p. 100.

Nul n'est besoin d'être devin pour savoir que chaque plainte fondée représente habituellement de multiples violations de la Loi et de la Charte, soit à l'endroit du plaignant lui-même, soit à l'endroit d'autres usagers. Comme l'indiquent clairement les plaintes du public et les travaux du Commissariat, il subsiste, aux côtés de services impeccablement offerts dans les deux langues, de nombreuses inégalités et irrégularités. En voici quelques exemples :

- Pour la troisième année consécutive, à Winnipeg, la Direction de développement de l'emploi de la Commission de l'emploi et de l'immigration a communiqué en anglais avec des associations francophones, malgré les engagements qui avaient été pris à cet égard.

- Encore trop souvent, les organismes fédéraux qui communiquent avec le public par le biais des médias ne diffusent leurs messages que dans la presse de la majorité linguistique ; cela se produit aussi bien au Québec que dans les autres provinces.

- A Edmonton, un francophone communique par téléphone avec le ministère des Approvisionnements et Services et demande en français le service des publications : le fonctionnaire au bout du fil marque une longue pause, puis passe l'appel à un collègue qui dit, en anglais : « Un moment s'il vous plaît ». Il ajoute, toujours en anglais : « Je trouve curieux que vous insistiez pour être servi en français si vous pouvez parler l'anglais. Les trois employés qui normalement fournissent le service en langue française sont en congé » — ce qui était faux puisque à peine cinq minutes plus tard, un employé a pu répondre en français à l'intéressé.

- Dans un bureau de poste, à Moncton, un francophone demande 100 timbres d'un cent ; le guichetier lui remet un timbre de 34 cents. Le client insiste : « J'ai demandé 100 timbres d'un cent », ce à quoi on lui répond : « *Fifty ?* »

Le guichetier unilingue a persisté à interroger le client en anglais sans daigner faire appel à sa collègue qui, au bout d'un moment, a pris elle-même l'initiative de le tirer d'embarras.

Survol régional

Les travaux du Commissariat et des associations minoritaires révèlent chaque année autant de réalisations ou d'initiatives louables que de faiblesses inexcusables. D'une façon générale le constat est le suivant : la situation n'a pas progressé de façon significative dans les diverses régions du pays en 1986. Certaines réussites et certaines faiblesses valent d'être soulignées.

- Tous les Canadiens peuvent s'enorgueillir du franc succès qu'a obtenu en 1986 l'Exposition internationale de Vancouver. Au pavillon du Canada, noblesse oblige, la signalisation était dans les deux langues et tous les employés en contact avec les visiteurs étaient bilingues. Par contre, les services de premiers soins assurés par Expo 86 n'étaient pas toujours offerts dans les deux langues. De son côté, la Gendarmerie royale du Canada n'avait pas affecté un nombre suffisant d'agents bilingues pour assurer en tout temps ses services, pourtant bien modestes, dans les deux langues. Pour le reste, la Corporation de l'Exposition a déployé certains efforts, tardifs mais empressés, pour assurer un certain nombre de services en français et en anglais.

- Afin de mieux informer ses employés sur la prestation de services bilingues dans l'un de ses bureaux du centre-ville de Toronto, la Commission de l'emploi et de l'immigration a produit, en collaboration avec le Secrétariat du Conseil du Trésor, une vidéocassette portant sur la façon de servir le public dans les deux langues officielles. Cet enregistrement a été par la suite mis à la disposition des associations minoritaires. Voilà un exemple que les ministères et organismes fédéraux auraient intérêt à suivre. On se rappellera que la Commission a regroupé ses effectifs bilingues dans un bureau du centre-ville de Toronto en 1982 et que, grâce à l'efficacité des services et à la publicité qui en a été faite, la demande en français s'est tout à coup largement manifestée.

- Au Québec, le personnel bilingue est plus nombreux que dans les autres régions, et la disponibilité de services bilingues de qualité est fort adéquate. On note toutefois quelques lacunes. Par exemple, l'accueil téléphonique et en personne, dans les régions bilingues, est encore trop souvent assuré en français seulement et les communications écrites destinées à des anglophones se font parfois en français ou dans un mauvais anglais.

- La Fédération acadienne de la Nouvelle-Écosse mérite des félicitations pour avoir mené une étude sur la disponibilité dans cette province de services fédéraux bilingues. On a vérifié entre autres si l'accueil téléphonique était assuré dans les deux langues officielles. A certains endroits, les enquêteurs

se sont présentés à des bureaux d'organismes fédéraux afin d'y vérifier la signalisation, l'accueil au comptoir et, finalement, le bilinguisme du personnel. Les résultats de l'enquête démontrent que les services en français en Nouvelle-Écosse ne sont disponibles que dans trop peu de cas.

- L'été dernier, la formation d'un Comité consultatif acadien composé de représentants de la Nouvelle-Écosse, du Nouveau-Brunswick et de l'Île-du-Prince-Édouard donnait aux Acadiens l'occasion de participer aux recherches entreprises par Parcs Canada sur les parcs et les lieux historiques nationaux de la région. Les représentants de Parcs Canada ont accepté plusieurs des suggestions du Comité touchant le parc de Grand Pré, en Nouvelle-Écosse, et les consultations se poursuivent dans plusieurs dossiers. Les autres organismes fédéraux de la région de l'Atlantique feraient bien de s'inspirer de cette heureuse initiative.

Recommandations

Voici, en termes succincts, certaines des mesures qu'il importerait de prendre en vue d'améliorer la prestation des services bilingues.

Nous recommandons au Gouvernement :

- de préciser, en faisant preuve de générosité, les notions de « demande importante » et de « vocation du bureau » contenues dans la Charte ; pour vraiment permettre à la demande de se manifester, il faudra que l'offre *active* de services de qualité soit vigoureuse et soutenue pendant un certain nombre d'années ;
- de mettre en œuvre un programme d'information destiné à tous les employés fédéraux en contact avec le public afin de les sensibiliser aux exigences de l'offre active de services et à ce qu'impliquent les notions de « demande importante » et de « vocation du bureau », en mettant notamment à leur disposition un guide à cet effet ;
- d'éliminer d'ici trois ans le niveau élémentaire (A) de connaissance linguistique pour la plupart des postes de service au public ;
- de s'assurer que, d'ici trois ans, chaque bureau fournissant des services au public compte en tout temps au moins un employé vraiment bilingue (niveau supérieur) afin de pouvoir traiter des cas complexes sur le plan linguistique ;
- d'inciter le Conseil du Trésor à émettre, en sa qualité de gestionnaire du programme des langues officielles, une politique touchant les médias de langue officielle et de s'assurer du respect de cette politique au moyen de contrôles efficaces.

La pleine participation : déséquilibres stables

En 1973, le Parlement adoptait à l'unanimité un train de mesures visant à « favoriser la pleine participation des collectivités francophone et anglophone au sein de la Fonction publique, tout en respectant le principe du mérite ». Il ne s'agissait pas d'une question isolée, mais d'un facteur parmi d'autres de l'égalité des deux langues officielles au sein de la Fonction publique devant permettre à tous les fonctionnaires d'atteindre, dans leur langue, au plus haut degré possible de compétence professionnelle. La pleine participation fait donc partie intégrante du programme des langues officielles ; sans cette composante, on ne saurait assurer un service bilingue au public ni l'égalité des deux langues au travail.

Pour déterminer où nous en sommes cette année à ce chapitre, faisons d'abord un bref retour en arrière. Dans notre Rapport annuel de 1984, nous avions désigné les principaux obstacles à surmonter et recommandé au gouvernement de s'attaquer vigoureusement aux problèmes les plus ardus. En 1985, aucun progrès important n'ayant été noté, nous avons précisé davantage la nature des problèmes et formulé trois recommandations. Nous aurions aimé cette année être porteurs de bonnes nouvelles, mais les résultats de nos vérifications et suivis ne nous le permettent pas.

Si le gouvernement est parvenu à établir au sein de l'administration un taux de participation des francophones et des anglophones qui correspond approximativement à la répartition nationale des deux groupes linguistiques, tous les secteurs n'en ont pas encore ressenti les effets, et l'objectif global est loin d'être atteint. Force nous est de signaler que de nombreux déséquilibres persistent ; s'ils diffèrent selon les régions et les catégories d'emploi, ils ont la même gravité. Les anglophones sont toujours sous-représentés au Québec, et, à un degré moindre, les francophones au Nouveau-Brunswick et dans le nord de l'Ontario. De plus, les taux de participation des deux groupes linguistiques varient énormément d'un ministère ou d'organisme à l'autre.

Dans ses recommandations touchant la révision de la *Loi sur les langues officielles*, le Commissaire a suggéré en février 1986 d'y ajouter un préambule rappelant les objectifs fondamentaux de la Loi, lesquels visent, entre autres choses, à assurer la participation équitable des deux groupes linguistiques au sein de l'appareil fédéral. Ainsi serait réaffirmée l'importance des grandes orientations de la

Résolution parlementaire de 1973, ce qui favorisait l'adoption de mesures juridiques et administratives plus adéquates.

La confusion règne

Mais la Loi, même révisée, ne nous permettra pas de surmonter les obstacles chroniques à la pleine participation si les agences centrales n'assurent pas une direction ferme et n'exercent pas les contrôles nécessaires. Malheureusement, dans la Fonction publique, une certaine confusion règne quant à l'objet de la politique en ce domaine et à ses critères de mise en œuvre. On semble penser qu'ils ne peuvent être efficaces que s'ils sont appliqués partout de la même façon. Pourtant, rien n'est moins vrai, car en cette matière il faut tenir compte aussi bien des caractéristiques de chaque organisme que du contexte national. La participation équitable ne peut résulter que de la combinaison harmonieuse des éléments propres à chacun de ces organismes.

Un exemple éloquent de cette confusion nous est donné par la GRC. Plutôt que de respecter son statut d'organisme national et de garantir — conformément à la Loi — un accès équitable aux membres des deux collectivités linguistiques, la GRC, invoquant ses responsabilités provinciales et municipales, a tenté de subordonner à ses exigences opérationnelles les principes et les règles de la Résolution parlementaire de 1973. C'est ainsi qu'elle s'est fixé un taux de participation des francophones considérablement réduit, le faisant passer de 20,8 p. 100 à quelque 12 à 15 p. 100, comme on a pu le lire dans le bulletin interne de la GRC, *The Pony Express*. Le président du Conseil du Trésor est intervenu pour dire que l'approche de la GRC traduisait une incompréhension profonde de la politique gouvernementale. Les nouveaux paramètres avaient pourtant fait l'objet de consultation auprès de hauts fonctionnaires du Conseil. Manifestement, il y a eu malentendu.

De semblables mépriscs n'ont pu être évitées au Bureau des négociations commerciales, autre organisme prestigieux. Réagissant aux pressions du gouvernement et de l'opinion publique — tardivement selon nous —, le Bureau a voulu faire en sorte que les membres de la haute direction reflètent mieux la composition linguistique de la population. Cependant, le taux de participation des francophones y stagne aux environs de 15 p. 100.

Des paramètres réalistes

A notre avis, la meilleure solution serait que, par voie de négociation, ministères et agences centrales s'entendent sur des paramètres applicables à l'ensemble du processus ainsi qu'aux diverses catégories d'emploi. Les discussions en cours entre le Conseil du Trésor et les ministères au sujet d'ententes ou de protocoles en matière de gestion sont une occasion rêvée d'aborder cette question.

Mais avant tout, il est essentiel qu'on se mette d'accord sur les principes, car les malentendus subsistent. En voici un autre exemple. La Commission de la Fonction publique et le Secrétariat du Conseil du Trésor ont suggéré que les ministères s'inspirent de la seule composition linguistique des catégories d'emploi sur le marché du travail pour fixer leurs objectifs en matière de participation. Or, il y a une vingtaine d'années, la Commission royale d'enquête sur le bilinguisme et le biculturalisme mettait de l'avant en ce domaine le concept

d'« association national », complémentaire à la *Loi sur les langues officielles* pour favoriser une répartition plus équitable des tâches et des avantages entre les deux groupes linguistiques, plutôt que de perpétuer la situation prévalant sur le marché de travail.

A tout le moins devrait-on établir un mécanisme de contrôle efficace pour assurer la mise en œuvre de la politique et des lignes directrices. Pendant plusieurs années, les initiatives des ministères en matière de participation ont été soumises à une double vérification. Sans renoncer à ses propres analyses, le Secrétariat du Conseil du Trésor avait délégué à la Commission de la Fonction publique son autorité dans l'examen des progrès de la participation. Mais il semble que le Conseil n'ait pas expliqué clairement ses critères d'évaluation, si bien qu'en septembre 1986, il a mis fin à son entente avec la Commission. En conséquence, il reste à déterminer par quels moyens les agences centrales pourront assurer un contrôle efficace en cette matière. Les accords à ce sujet entre le Conseil et les ministères devront manifestement inclure de meilleurs critères d'évaluation.

Entre-temps, les compressions budgétaires aidant, les ministères ont vu leur latitude en matière de dotation du personnel considérablement réduite. Le processus est devenu plus laborieux, contraignant les ministères à réaffecter constamment leur personnel. Les gestionnaires sont naturellement moins portés à se préoccuper des taux de participation lorsqu'ils sont appelés à composer avec des problèmes liés à la réduction ou au gel des effectifs. Le personnel chargé de la mise en œuvre du programme des langues officielles n'échappant pas aux mesures d'austérité, la pleine participation, à l'instar de la représentation équitable des femmes, des handicapés et des Autochtones, s'ajoute à la longue liste d'objectifs souhaités en matière de dotation. Malheureusement, le regroupement de ces priorités ne fait que masquer le caractère disctinctif et urgent du problème. Les ministères doivent veiller à ce que les objectifs linguistiques ne soient pas relégués au dernier rang des priorités, sous le prétexte d'économie des ressources.

La situation d'ensemble

Évaluons maintenant la participation globale des francophones et des anglophones dans le secteur de l'appareil fédéral relevant du Conseil du Trésor. Bien que les francophones comptent maintenant pour 27,9 p. 100 des effectifs, soit 0,1 p. 100 de plus que l'an dernier, une comparaison des données de 1981 et de 1986 (tableau II.3) révèle des déséquilibres marqués dans plusieurs catégories d'emploi. Certains cas méritent que l'on s'y attarde.

Au sommet

Qu'est-il advenu des efforts de planification et des bonnes intentions de la Fonction publique ? Non seulement les francophones sont-ils toujours sous-représentés dans la très importante catégorie de la Gestion, mais ils y ont perdu du terrain au cours des cinq dernières années, passant de 20,5 à 20,0 p. 100.

Tableau II.2
Répresentation des francophones aux échelons supérieurs de la Fonction publique, 1984, 1985 et 1986

	1984 %	1985 %	1986 %
Direction	22,0	20,8	20,0
Cadres supérieurs	17,0	19,2	19,7

Source: Système d'information sur les langues officielles, 1984, 1985 et 1986.

Tableau II.3
Répartition des fonctionnaires francophones et anglophones, par catégorie professionnelle, dans l'ensemble de la Fonction publique, 1981 et 1986[1]

Agents		Francophones nombre	%	Anglophones nombre	%
Gestion	1981	296	20,5	1 148	79,5
	1986	842	19,8	3 411	80,2
Scientifiques et spécialistes	1981	4 267	19,9	17 210	80,1
	1986	5 190	22,4	17 966	77,6
Administration et service extérieur	1981	15 110	27,9	39 095	72,1
	1986	16 957	29,8	39 955	70,2
Techniciens	1981	5 122	19,2	21 518	80,8
	1986	5 728	20,9	21 704	79,1
Total partiel	**1981**	**24 795**	**23,9**	**78 971**	**76,1**
	1986	**28 717**	**25,7**	**83 036**	**74,3**
Autre personnel					
Soutien administratif	1981	23 205	32,0	49 224	68,0
	1986	23 556	33,6	46 511	66,4
Exploitation	1981	27 600	27,0	74 632	73,0
	1986	10 316[2]	24,7	31 491[2]	75,3
Total partiel	**1981**	**50 805**	**29,1**	**123 856**	**70,9**
	1986	**33 872**	**30,3**	**78 002**	**69,7**
TOTAL	**1981**	**75 600**	**27,2**	**202 827**	**72,8**
	1986	**62 589**	**28,0**	**161 038**	**72,0**

[1] Canada et étranger.
[2] Cette importante réduction des effectifs est en partie attribuable à la transformation du ministère des Postes en une société de la Couronne.
Source: Système d'information sur les langues officielles, 1981 et 1986.

Les francophones forment près de 32 p. 100 du corps des 532 sous-ministres et autres grands commis de l'État nommés par arrêté-en-conseil. Cependant, la faible proportion d'employés d'expression française dans le groupe de la Direction et à l'échelon immédiatement inférieur (tableau II.2) ne laisse pas d'être préoccupante.

Immédiatement sous l'échelon formé par le groupe des cadres supérieurs, les francophones ne représentent qu'environ 18 p. 100 des employés. Où est donc le relève des gestionnaires francophones? Les décisions en matière de dotation prises par le ministère des Finances s'expliquent difficilement. En effet, entre les mois de janvier et d'octobre, seuls 2 des 22 candidats nommés à des postes supérieurs de direction et de gestion étaient francophones. Comment s'étonner alors que les francophones ne forment que 12,7 p. 100 du groupe de la Direction de ce ministère. Autre exemple de négligence flagrante : au ministère de l'Énergie, des Mines et des Ressources, les francophones sont nettement sous-représentés dans le groupe de la Direction (11,8 p. 100). Nous devons toutefois noter les efforts consentis par le ministre pour remédier à la situation.

Examen au microscope

Au début des années 80, l'adoption d'une série de mesures correctives a permis d'améliorer l'équilibre linguistique chez les Scientifiques et spécialistes, où les francophones forment maintenant 22,4 p. 100 des employés, soit une augmentation de 2,5 p. 100 par rapport à 1981. Cependant, la majorité des progrès ont été enregistrés avant 1983. Depuis, c'est la stagnation qui s'est installée en raison des facteurs suivants : relâchement du contrôle exercé par les agences centrales, répercussions du recrutement parmi « l'amicale des anciens » de la communauté scientifique, compressions budgétaires et réduction des effectifs. Si la participation globale des francophones et des anglophones s'est accrue au sein des plus importants ministères à vocation scientifique, nous sommes encore loin du but. Comparons les taux de participation des francophones chez les Scientifiques et spécialistes de cinq importants ministères, en 1981 et en 1986 :

Tableau II.4

Représentation des francophones dans la catégorie Scientifiques et spécialistes (pourcentage)

	1981	1986
Revenu national (Impôt)	24,0	22,9
Environnement	15,0	19,1
Énergie, Mines et Ressources	9,0	15,4
Santé nationale et Bien-être social	14,0	16,3
Pêches et Océans	6,6	10,9

Source : Système d'information sur les langues officielles, 1981 et 1986.

Le ministère de l'Énergie, des Mines et des Ressources reconnaît qu'il n'a parcouru qu'une infime partie du chemin, et s'emploie résolument à élaborer des stratégies de redressement en faveur des francophones. En contrepartie, Santé nationale et Bien-être social, malgré nos admonestations, n'a toujours pas établi de plan d'ensemble visant à combler les lacunes dans le recrutement de scientifiques de langue française. Quant à Pêches et Océans, il attribue son piètre rendement au gel des effectifs et à la concentration des employés dans des régions à prédominance anglophone. Si ces facteurs compliquent singulièrement la tâche du Ministère, ils ne justifient pas que la participation francophone à l'administration centrale n'atteigne toujours pas 13 p. 100.

Soutien administratif

La catégorie Soutien administratif est essentiellement composée de secrétaires et de commis qui, dans les régions bilingues, se doivent de maîtriser les deux langues officielles. S'il est utopique d'espérer un redressement rapide de la participation des anglophones dans ce groupe, on ne semble pas se préoccuper des facteurs susceptibles d'influer sur sa composition linguistique.

Nombre de postes subalternes de cette catégorie sont temporaires, et ceux qui sont désignés bilingues doivent obligatoirement être comblés par des employés effectivement bilingues. Certains de ces postes deviendront permanents, et les exigences linguistiques auxquelles doivent satisfaire leurs titulaires pourront être définitivement incluses dans les conditions d'obtention du poste. De plus, cette même règle s'applique à la proportion exceptionnellement élevée de postes bilingues permanents (84 p. 100). Existe-t-il un gestionnaire qui se priverait des services d'un commis ou d'une secrétaire efficaces, pour les astreindre à un programme de formation linguistique ? S'il est vrai, comme le veut la rumeur publique, que les anglophones soient peu enclins au bilinguisme, alors nous sommes vraisemblablement devant un obstacle systémique à l'accroissement de leur participation dans ce groupe, leur candidature n'offant guère d'intérêt. En accréditant cette hypothèse, on contribue au maintien des stéréotypes en matière linguistique.

La Commission de la Fonction publique et les ministères devraient donc examiner très attentivement ces divers facteurs afin de s'assurer que les postes permanents sont toujours comblés par des employés permanents, tout en faisant preuve de souplesse pour ce qui est de la dotation « impérative ». Ne voulant courir aucun risque, certains organismes s'en sont tenus à un personnel de soutien bilingue majoritairement francophone, ce qui conduit à une participation anglophone nettement insuffisante. Voici quelques exemples probants : le Secrétariat d'État, 44,5 p. 100 ; la Commission de la Capitale nationale, 46,8 p. 100 ; l'ACDI, 33,1 p. 100 ; le ministère de l'Expansion industrielle régionale, 60,2 p. 100 ; la Commission de la Fonction publique, 33,4 p. 100. A ces déséquilibres s'ajoutent les écarts régionaux. Par exemple, dans la région de la Capitale nationale, les anglophones ne représentent que 55,5 p. 100 des employés de la catégorie Soutien administratif.

Les régions

Les anglophones au Québec

Comme nous l'indique le tableau II.5, les résultats obtenus dans certaines régions sont fort encourageants ; par contre, d'autres ont connu un recul inquiétant. D'année en année, on assiste au déclin constant du nombre d'anglophones dans les régions bilingues et unilingues du Québec. Plusieurs raisons expliquent ce phénomène. Premièrement, sur le plan politique, citons les retombées d'une polarisation de la situation linguistique au Québec qui a été aggravée par l'indifférence du gouvernement. En 1983, le Secrétariat du Conseil du Trésor et la Commission de la Fonction publique se sont penchés sur la question, ce qui a entraîné la mise en place d'une nouvelle infrastructure de recrutement et l'accroissement du nombre de candidats anglophones — mesure qui a servi tout au plus à limiter les dégâts. Récemment toutefois, la Commission de la Fonction publique, de concert avec Emploi et Immigration Canada, a amorcé des pourparlers avec les associations minoritaires du Québec dans le but de remédier au problème.

Tableau II.5

Répartition proportionnelle des minorités de langue officielle dans la population et dans la Fonction publique, par région, 1984 à 1986

	Population de langue officielle minoritaire %	Fonctionnaires de langue officielle minoritaire			Écart 1984-1986 %
		1984 %	1985 %	1986 %	
Provinces de l'Ouest	2,7	2,0	2,1	2,1	+0,1
Ontario unilingue[1]	2,0	2,9	3,0	3,1	+0,2
Ontario bilingue[1]	32,3	23,2	23,3	23,1	-0,1
Région de la Capitale nationale	35,4	35,7	35,7	35,9	+0,2
Québec bilingue[1]	19,8	7,3	7,3	7,1	-0,2
Québec unilingue[1]	4,2	4,2	4,0	3,9	-0,3
Nouveau-Brunswick	33,6	26,8	27,6	28,4	+1,6
Autres provinces atlantiques	2,9	3,6	3,7	3,5	-0,1
Territoires	2,5	4,0	3,5	3,3	-0,7

[1] Excluant la région de la Capitale nationale.

Sources : Statistique Canada, Recensement de 1981 ; Système d'information sur les langues officielles, 1984, 1985 et 1986.

Ces efforts semblent porter fruit, notamment chez les agents. En effet, en 1986, quelque 17 p. 100 des candidats nommés à ces postes étaient anglophones. Cependant, compte tenu du déclin de la participation anglophone dans la catégorie Soutien administratif au cours des cinq dernières années (de 3,5 p. 100 à 2,6 p. 100 en 1986), et ce en dépit de la bilinguisation progressive des Anglo-Québécois, il est permis de douter de l'efficacité des méthodes des responsables de la dotation. En 1986, seuls 1,6 p. 100 des candidats provenant de l'extérieur de la Fonction publique étaient d'expression anglaise, soit un pourcentage identique à celui de 1982. Résultat d'années d'indifférence, ces déséquilibres ne pourront être corrigés du jour au lendemain. Les anglophones quittent en plus grand nombre les rangs de la Fonction publique qu'ils n'y accèdent. Que le milieu attire ainsi de moins en moins les candidats anglophones laisse entier le problème de leur recrutement. Dans un rapport spécial déposé récemment auprès du Gouverneur-en-conseil, le Commissaire recommande la mise en œuvre d'une stratégie de recrutement qui s'inspirerait des travaux en cours de la Commission de la Fonction publique et de la Commission de l'emploi et de l'immigration. Dans ce cadre, des postes temporaires et des emplois d'été pourraient être avantageusement comblés par des anglophones.

La minorité francophone

Ailleurs au pays, la minorité francophone continue d'être convenablement représentée dans les régions dites unilingues, leur proportion reflétant assez fidèlement la composition linguistique de la population. Par contre, dans les régions bilingues de l'Ontario et au Nouveau-Brunswick, les écarts s'accentuent considérablement. Si la situation s'améliore lentement dans cette dernière province, grâce notamment aux efforts de la GRC et de la Commission de l'emploi et de l'immigration, elle reste inchangée en Ontario — province qui compte proportionnellement la plus importante minorité de langue officielle au Canada, soit au moins 100 000 francophones sur le marché du travail.

Quelques cas particuliers

Tel que souligné dans notre Rapport de 1985, la vocation des divers organismes fédéraux et la répartition géographique de leurs effectifs peuvent influer sur leur composition et, dans une certaine mesure, sur les taux de participation des deux groupes linguistiques. Par exemple, on peut s'attendre à ce qu'un organisme ayant une mission culturelle ou un rôle précis auprès des minorités, comme le CRTC ou le Secrétariat d'État, compte presque autant de francophones que d'anglophones, contrairement à la norme. De la même façon, les ministères dont les activités ont une solide assise régionale, comme le ministère des Pêches et Océans, ne devraient peut-être pas être tenus de compter de 25 à 30 p. 100 d'employés francophones ; sauf qu'un taux de 15 p. 100 reste inacceptable. Tous les organismes où la participation de l'un ou l'autre groupe linguistique est faible devraient s'employer à trouver un meilleur équilibre.

Le tableau II.6 comprend 14 organismes fédéraux de plus de 300 employés regroupés en fonction de leurs résultats en matière de participation équitable.

Tableau II.6

Représentation des francophones et des anglophones dans 14 organismes fédéraux choisis[1]

Taux de participation équilibrés	Francophones %	Anglophones %
Postes Canada	27,4	72,6
Emploi et Immigration	34,0	66,0
Affaires extérieures	29,0	71,0
Travaux publics	27,3	72,7
Revenu Canada (Douanes et Accise)	26,4	73,6
Taux de participation médiocres		
Énergie, Mines et Ressources	24,4	75,6
Santé nationale et Bien-être social	23,2	76,8
Défense national (civils)	20,3	79,7
Secrétariat du Conseil du Trésor	36,1	63,9
Transports	22,7	77,3
Taux de participation déséquilibrés		
Pêches et Océans	14,7	85,3
Commission de la Capitale nationale	46,8	53,2
Commission de la Fonction publique	54,0	6,0
GRC	16,0	84,0

[1] Organismes de plus de 300 employées.

Source : Système d'information sur les langues officielles, 1986.

Le long terme

La lenteur des progrès ou, plus souvent qu'autrement, les reculs dans des catégories ou des secteurs donnés, sont attribuables à deux facteurs : la participation équitable n'est pas une des priorités des ministères; les agences centrales n'exercent pas un contrôle efficace. Si le gouvernement se contente d'assurer l'accès des postes disponibles aux deux groupes linguistiques, et de s'attaquer au hasard à un ou deux problèmes particuliers, il ne réussira jamais à corriger durablement la situation. Pour qu'il y ait un progrès véritable, il faudra exiger des ministères

et organismes qu'ils établissent un plan à long terme quant à leurs besoins prévisibles en personnel francophone et anglophone, compte tenu des exigences en matière de participation globale, régionale et sectorielle. Leurs prévisions seraient alors communiquées aux agences centrales qui se chargeraient d'informer les maisons d'enseignement des deux langues (secondaires et postsecondaires) des possibilités d'emplois dans les différents secteurs. Cette collaboration permettrait la mise sur pied d'une banque de diplômés qualifiés. La Commission de la Fonction publique a déjà lancé des campagnes de recrutement sur les campus universitaires, et certains ministères ont mis en œuvre des programmes spéciaux. Seule une stratégie à long terme, comme celle-là, permettra à la Fonction publique d'accomplir des progrès durables, notamment dans les secteurs où les ministères n'ont pas réussi à régler des problèmes de longue date.

Le gouvernement a-t-il donné suite aux trois recommandations visant le court terme que nous avions formulées dans notre Rapport de l'an dernier? Les deux premières, qui devaient être mises en œuvre dans les deux années suivant la publication du Rapport, prônaient l'établissement d'objectifs et d'échéanciers précis en matière de participation, liés à un plan de recrutement et à des pratiques équitables pour les deux groupes linguistiques. Or les organismes fédéraux auront beaucoup à faire l'année prochaine si elles comptent respecter le délai que nous leur avons fixé.

La troisième, qui devait s'appliquer avant la fin de 1986, avait pour but d'en savoir davantage sur la composition du personnel des sociétés de la Couronne et des organismes ne relevant pas directement du Conseil du Trésor. Si certains organismes ont marqué des points, on ne peut parler de progrès global. Nous n'insisterons jamais trop sur la nécessité pour les sociétés de la Couronne de produire des données à jour. Ensemble, ce qui inclut la Défense nationale (effectifs militaires) et la GRC, ces sociétés emploient quelque 350 000 personnes, soit presque 60 p. 100 du personnel de l'État. Celles d'entre elles qui, comme Air Canada, Postes Canada et Via Rail, possèdent des données complètes sur leur personnel ont eu recours à des systèmes de collecte de l'information normalisés, et se sont toutes préoccupées de connaître les préférences linguistiques de leurs employés. En outre, elles ont su leur communiquer l'importance de maintenir à jour une banque de données précises. Certaines de ces sociétés comptent améliorer leur système dans un proche avenir.

Cependant, d'autres organismes ont consenti peu d'efforts à la mise à jour des dossiers des employés, préférant nettement la collecte et l'analyse ad hoc des données. Ils recourent parfois à des systèmes semi-informatisés et certaines des données qu'ils conservent sont inutilisables aux fins de comparaison. Au mieux, ils évaluent au jugé le taux de participation des francophones et des anglophones. Si Pétro-Canada, Radio-Canada et les Chemins de fer nationaux appartiennent à cette catégorie, ils ne sont pas les seuls délinquants.

Recommandations

Il est entendu que les lacunes en ce qui a trait à la pleine participation des francophones et des anglophones au sein des ministères et organismes fédéraux ne peuvent être corrigées en un tour de main. D'autant plus que les coupures dans les effectifs viennent ralentir considérablement les possibilités d'action. Dans ces circonstances, si le gouvernement tient vraiment pour prioritaire cet aspect du programme des langues officielles, il devra se remettre à la tâche et faire preuve d'autant de vigueur qu'au cours des années 70. Dans le respect du principe du mérite, nous recommandons que :

- dans le cadre de nouveaux protocoles d'entente, le Secrétariat du Conseil du Trésor et la Commission de la Fonction publique déterminent de concert avec les ministères et organismes relevant de leur compétence des paramètres en matière de participation qui tiennent compte, tant sur le plan national, régional que sectoriel, de leur situation particulière ; et qu'ils fixent des objectifs réalistes et généreux pour les trois prochaines années ;
- le Secrétariat du Conseil du Trésor, de concert avec la Commission de la Fonction publique, intensifie ses efforts en ce qui a trait à la planification des ressources humaines et la dotation des postes dans la catégorie Gestion en vue d'assurer une meilleure répartition des deux groupes linguistiques aux échelons supérieurs de la Fonction publique. De plus, étant donné que le recrutement hors de la Fonction publique s'est ralenti, il est recommandé que les deux agences centrales prennent des mesures immédiates pour élargir le réservoir des francophones au niveau SM-1, où sont recrutés la plupart des futurs membres de la catégorie Gestion ;
- Emploi et Immigration Canada, de même que les ministères fédéraux qui ont des bureaux au Québec, analysent les raisons de la très faible participation des anglophones dans la catégorie Soutien administratif dans cette province, afin de corriger la situation dans les plus brefs délais.

La langue de travail : chacun la sienne ?

L'essentiel de la question en matière de langue de travail peut se résumer ainsi : dans les régions bilingues[1], les fonctionnaires fédéraux devraient avoir la possibilité de travailler dans leur langue officielle d'élection — en autant que l'obligation de servir le public dans les deux langues est respectée. Malheureusement, nous devons constater cette année encore que cet objectif est loin d'avoir été atteint.

Nos lecteurs se rappelleront que nous avons traité en détail dans nos précédents rapports des aspects philosophiques de la langue de travail et des principes directeurs qui devraient guider notre action en ce domaine. En 1984, nous avions mis de l'avant un certain nombre de recommandations visant à aider le gouvernement à respecter deux engagements importants : s'assurer que le principe de l'égalité linguistique garanti par la *Loi sur les langues officielles* et la *Charte canadienne des droits et libertés* soit pleinement respecté ; et collaborer avec les gouvernements des provinces afin d'accorder une aide aux minorités de langue officielle. Huit de ces recommandations visaient la langue de travail. Un examen de la situation ayant démontré qu'on ne s'était guère employé à les mettre en œuvre, nous exposions dans notre Rapport annuel de 1985 de nouvelles propositions touchant les « unités privilégiant le français » et le concept de l'« obligation civique réciproque ». Si les organismes centraux ont manifesté quelque intérêt pour ces concepts, ils n'ont cependant fait aucun effort concerté pour les mettre en pratique.

Année après année, nous assistons à une augmentation du nombre de postes bilingues, conjuguée à un redressement progressif de leurs exigences linguistiques. Sur le papier, la situation s'améliore donc. Pourtant, nos vérifications linguistiques ainsi que l'accroissement en 1986 des plaintes touchant la langue de travail indiquent que les choses n'ont guère changé, et que le processus actuel d'ajustement de l'infrastructure a peu d'effet sur l'utilisation du français au sein de la Fonction publique. On ne saurait mettre en doute l'utilité des documents de référence bilingues, des lexiques et des bases de données électroniques, des programmes

[1] Sont désignées bilingues aux fins de la langue de travail les régions suivantes : Montréal, certaines parties des Cantons de l'Est et de la Gaspésie ; certaines parties de l'est et du nord de l'Ontario ; tout le Nouveau-Brunswick ; et la région de la Capitale nationale.

internes de formation linguistique ou des services de révision et de rédaction ; mais, à elles seules, ces mesures ne suffisent pas à assurer l'égalité linguistique.

Le règne de l'ambiguïté

La position du gouvernement, des agences centrales et des hauts fonctionnaires face à la langue de travail n'est pas toujours claire. Les employés connaissent mal leurs droits, et les gestionnaires de tous les niveaux ne semblent pas trop savoir, en général, ce qu'ils devraient faire pour les respecter. Bien sûr, il y a toujours des exceptions pour confirmer la règle : les dirigeants du Conseil du Trésor, du ministère de la Justice et du ministère de l'Expansion industrielle régionale, par exemple, ont fait des efforts louables pour accroître l'usage du français au travail. Mais dans l'ensemble, l'analyse de la situation révèle de nombreuses lacunes en cette matière.

Quels sont donc les principaux obstacles systémiques à l'égalité des deux langues au travail ?

Initiatives du Commissariat

Nous avons procédé cette année à trois études pilotes dans autant d'organismes fédéraux sur les aspects linguistiques du milieu de travail. Grâce à un nouveau questionnaire, les entrevues que nous avons effectuées à l'occasion de nos vérifications linguistiques nous ont permis de mieux cerner les problèmes. Voici, selon les francophones, les principaux obstacles à l'usage du français au travail :

- dans les réunions où les deux groupes linguistiques sont représentés, les francophones se sentent obligés de s'exprimer en anglais ;
- en présence de hauts fonctionnaires, les réunions se tiennent en anglais ;
- appelés à maîtriser l'anglais au début de leur carrière, les francophones sont perçus comme des locuteurs anglophones par leurs collègues de langue anglaise ;
- étant donné que l'avancement professionnel des anglophones n'est pas lié à leur connaissance du français, l'usage de cette langue demeure restreint.

Quant aux répondants anglophones, la plupart estimaient que l'usage du français au travail se heurtait aux obstacles suivants :

- la quasi-totalité des travaux sont préparés et traités en anglais ;
- l'usage de l'anglais au travail est une habitude solidement ancrée ;
- en présence de hauts fonctionnaires, les réunions se tiennent en anglais ;
- la terminologie spécialisée fait de l'anglais une langue indispensable.

Égalité et privilèges

Il semble donc que les hauts fonctionnaires soient perçus par les deux groupes linguistiques comme des privilégiés qui agissent comme s'ils n'avaient pas à s'acquitter des obligations normalement liées à la langue de travail. S'il existe certainement des exceptions, il n'en reste pas moins que cette impression générale

nuit à l'instauration d'un régime linguistique équitable en milieu de travail. En raison de leur pouvoir et de leur statut, les cadres supérieurs sont en mesure de choisir et même d'imposer la langue dans laquelle ils désirent communiquer avec leurs subordonnés. Il suffit qu'ils abusent de leur pouvoir — soit parce qu'ils ne maîtrisent pas le français ou parce qu'ils se refusent à le parler — pour que se détériore davantage le statut déjà chancelant de la langue minoritaire. Il s'ensuit une réaction en chaîne qui fait que les gestionnaires se sentent moins coupables de ne pas respecter leurs obligations linguistiques. Dans un tel contexte, le droit de travailler en français demeure plutôt théorique, en dépit des lignes directrices énonçant clairement que le titulaire d'un poste bilingue doit être encadré dans sa langue d'élection.

Afin de vérifier notre interprétation de la situation, nous avons tenu un certain nombre de rencontres avec des représentants de ministères fédéraux et de sociétés de la Couronne. Dans l'ensemble, ceux-ci ont confirmé nos conclusions, estimant qu'il y avait eu peu de réels progrès en cette matière. Selon eux, la situation est attribuable aux facteurs suivants :

- entre 30 et 40 p. 100 des surveillants et des cadres supérieurs occupant des postes bilingues n'ont pas une connaissance suffisante de leur langue seconde, et constituent par conséquent un obstacle systémique à un usage accru du français ;
- trop de surveillants et de cadres supérieurs, dont plusieurs ont reçu une formation linguistique aux frais de l'État, ne font aucun effort pour encadrer le personnel francophone dans sa langue ou pour favoriser de quelque manière l'usage du français au travail ;
- le niveau de compétence intermédiaire en langue seconde (niveau B), que la majorité des surveillants et des cadres intermédiaires sont tenus de posséder, est souvent insuffisant, et gagnerait à être redressé dans la plupart des cas, sinon la totalité ;
- les directives actuelles du gouvernement et des ministères sont souvent imprécises ou ambiguës, de sorte que les employés ne savent pas trop quels sont réellement leurs droits linguistiques ;
- l'attitude des surveillants et des cadres supérieurs témoigne clairement de leur préférence pour l'anglais, et ce au détriment du français.

Ce qui est ressorti plus clairement que jamais en 1986, c'est que 13 ans après l'adoption de la Résolution parlementaire qui faisait de l'égalité du français et de l'anglais au travail un des objectifs clés du programme des langues officielles, le gouvernement n'a toujours pas adopté de stratégie efficace pour éliminer ces préjugés bureaucratiques.

Pour un changement d'attitudes

Comment les gestionnaires perçoivent-ils la question de la langue de travail ? Si l'on se fie aux résultats de nos vérifications et aux plaintes que nous avons reçues,

bon nombre d'entre eux n'y voient qu'une source d'ennuis. En fait, le problème de la langue de travail serait sans doute mieux perçu si on le considérait comme une question de relations de travail. Dans leur analyse des plus grandes entreprises américaines, publiée en 1982 sous le titre *In Search of Excellence*, Thomas J. Peters et Robert H. Waterman arrivaient à la conclusion que la réussite de ces entreprises tenait à leur conviction que les employés méritent d'être respectés et doivent être traités « comme étant la cause première de l'augmentation de la productivité ». Si cette théorie a été largement acceptée, trop de gestionnaires au sein de la Fonction publique n'ont pas su faire le lien entre le respect d'un individu et le respect de sa langue.

De toute évidence, l'employé qui travaille dans sa langue est plus efficace et plus productif. Le fait d'encourager le plus grand nombre possible de fonctionnaires à exercer leurs fonctions dans leur langue officielle d'élection ne pourrait manquer d'accroître leur productivité, ce qui bénéficierait autant au gouvernement qu'à ses gestionnaires. Le gouvernement fédéral a bel et bien admis que cet objectif était *réalisable* ; mais lorsqu'il s'agit de passer de la théorie à la pratique, il *ne l'est plus*. Pourquoi ? Non seulement parce que le milieu de travail n'y est pas propice, mais aussi par manque d'attention et d'efforts et, n'ayons pas peur des mots, par l'absence d'une honnête gestion.

Le surveillant, un pivot de la réforme

Modifier les attitudes et le comportement linguistiques n'est certes pas chose facile ; mais si la haute direction ne montre pas la voie, alors l'entreprise est probablement vouée à l'échec. L'exemple doit d'abord être donné dans les réunions de la haute direction. Idéalement, les participants à ces réunions devraient être incités à intervenir dans leur langue. Le président ou la présidente peut discrètement donner le ton en s'adressant aux participants dans leur langue d'élection. Aussi recommandons-nous la lecture d'une publication récente du Conseil du Trésor intitulée *La présidence de réunions dans les deux langues officielles*, qui offre d'utiles suggestions à cet égard. Bref, en tenant ses réunions dans les deux langues, la haute direction montrerait la voie aux gestionnaires intermédiaires.

On évoque généralement le concept de l'*offre active* en rapport avec le service au public. Cette notion est pourtant tout aussi importante dans le milieu de travail, où il s'agit pour le gestionnaire ou le surveillant d'encourager les membres du personnel à utiliser le plus possible leur propre langue officielle dans l'exercice de leurs fonctions. Puisque le gestionnaire est chargé d'évaluer le rendement des employés, et que ceux-ci sont plus efficaces lorsqu'ils travaillent dans leur langue, quoi de plus logique que de leur donner toutes les occasions possibles d'améliorer leur rendement ?

Nous avons l'an dernier mis de l'avant le concept de l'*obligation civique réciproque* comme moyen d'assurer dans les faits le respect que l'on doit à l'autre langue officielle. Cela consisterait, pour les surveillants anglophones en particulier, à

encourager l'usage du français et à créer à cet effet un milieu propice. L'obligation correspondante, pour les francophones, serait tout simplement de prendre l'habitude de travailler dans leur langue. Une telle pratique aurait des avantages certains pour les deux groupes : puisque c'est en forgeant qu'on devient forgeron, les anglophones pourraient ainsi améliorer leur compétence langagière ; et les francophones verraient s'accroître leur productivité et leur confiance en eux-mêmes.

L'attrait du français

Au sein de la Fonction publique, 90 p. 100 des travaux de traduction se font toujours de l'anglais au français. Pourtant, une enquête menée en 1984 par le Conseil du Trésor sur l'utilisation de la langue dans les régions bilingues a permis de constater que 46 p. 100 des répondants anglophones souhaitaient accroître leur usage du français au travail. Manifestement, on n'a pas su exploiter cet intérêt. Le concept de l'*obligation civique* pourrait être utile à cet égard.

Bien que le gouvernement ne se soit pas prononcé sur cette proposition, elle mérite selon nous qu'on s'y attarde. L'obligation pour les surveillants et les cadres supérieurs, jusqu'aux sous-ministres adjoints, d'encourager l'usage du français ou de l'anglais dans les régions bilingues du Québec et de créer un milieu propice à cet effet devrait être intégrée à l'énoncé des objectifs de tous les gestionnaires, afin qu'ils aient à rendre compte de leur rendement en ce domaine. En outre, l'énoncé des objectifs définirait sans équivoque les principes directeurs en matière de langue de travail — encadrement, réunions, évaluation du rendement.

La haute direction à l'épreuve

A notre avis, ces mesures aideront à mettre fin au dangereux laisser-aller qui est maintenant monnaie courante, et qui a pour effet de saper le dynamisme et la créativité de la langue et de la culture françaises. Elle donnerait également aux gestionnaires de tous les niveaux une raison concrète d'acquérir ou de maintenir une compétence fonctionnelle de leur langue seconde, désormais facteur important de mérite pour les gestionnaires des régions bilingues. A l'instar de ceux qui reçoivent une prime au bilinguisme, les cadres appartenant au groupe de la direction (EX) devraient être soumis à un nouveau test linguistique dans les trois ans suivant leur formation, afin de vérifier s'ils ont maintenu leur compétence en langue seconde. Cela ne devrait poser aucun problème à ceux qui ont déjà pris l'habitude d'encadrer leurs employés dans la langue appropriée. Il serait également utile d'offrir une formation touchant la gestion du régime de la langue de travail ainsi que le comportement à adopter en cette matière.

Ces propositions demeureront toutefois sans effet si les ministères continuent de confier à des surveillants unilingues des postes désignés bilingues. C'est ce qu'illustre le cas d'un employé du ministère des Communications qui s'est plaint du fait que plusieurs gestionnaires nommés à des postes bilingues ne comprenaient pas le français, ce qui faisait de l'anglais la langue inévitable des réunions. En l'occurrence, le surveillant immédiat de notre correspondant était unilingue anglais. Voilà donc un employé entouré de collègues et de surveillants occupant des postes bilingues, qui devait s'exprimer en anglais pour être compris. Le même problème se pose dans plusieurs ministères, et la solution se laisse désirer. Comme la plupart

de ces ministères ont le moyen de servir le public dans les deux langues officielles, on est en droit de se demander si la stagnation en matière de langue de travail ne tient pas au fait que la question n'a pas reçu toute l'attention voulue, ou que les francophones sont automatiquement étiquetés « bilingues ». Si tel est le cas, il est grand temps de changer d'attitude.

Bilingue... mais à quel point ?

Reconnaissant que les cadres supérieurs se doivent de donner le ton au sein de leur ministère, le gouvernement exige que les membres du groupe de la direction (EX), nommés à des postes bilingues dans les régions bilingues, aient un niveau de compétence intermédiaire en langue seconde (niveau B). Il en va de même pour les sous-ministres adjoints dont c'est la première nomination ou qui sont mutés d'un poste à un autre dans la région de la Capitale nationale. Cependant, dans plusieurs de ces cas, le niveau de compétence intermédiaire est nettement insuffisant. Aussi devrait-on, à long terme, exiger le niveau de compétence supérieur (niveau C) pour la majorité de ces postes.

Aux échelons inférieurs, les postes bilingues non pourvus qui prévoient l'encadrement d'employés des deux groupes linguistiques exigent généralement une connaissance intermédiaire de la langue seconde. Étant donné que ce niveau est le plus souvent inapproprié, il nous est difficile de comprendre que certains ministères soient encore autorisés à doter ces postes de titulaires ayant une connaissance élémentaire de la langue seconde (niveau A), s'il s'avère que cela « reflète la compétence linguistique nécessaire pour assurer l'encadrement des fonctionnaires ». Passe encore s'il était question de chevaux. Nous avons toutefois peine à imaginer un poste d'encadrement au sein de la Fonction publique pour lequel il suffirait de savoir dire « hue » et « dia »... ce qui correspond à peu près au niveau A de compétence linguistique. Après plus de 17 ans de régime bilingue, il est temps que l'on exige d'à peu près tous les surveillants une connaissance intermédiaire de la langue seconde, et que l'on augmente considérablement le nombre de postes d'encadrement et de gestion exigeant le niveau C. Il va sans dire que cela devra se faire progressivement et que les agences centrales voudront se fixer des objectifs réalistes à cet égard — par exemple, que 35 p. 100 des cadres supérieurs et des surveillants possèdent un niveau de compétence avancé en langue seconde d'ici 1995. Parmi eux, 50 à 60 p. 100 pourraient appartenir au groupe de la direction. Mais quel que soit l'objectif, l'important est que l'on s'efforce résolument d'y parvenir.

A chaque règle son exception

Au cours de l'année, le Conseil du Trésor a pris plusieurs initiatives en matière de langue de travail. Entre autres, il a autorisé la Commission de la Fonction publique à prolonger le délai accordé aux titulaires de postes bilingues « non impératifs[1] » pour satisfaire aux exigences prescrites. En ce qui a trait à certains

[1] « Non impératif » signifie que le candidat n'est pas tenu d'être bilingue au moment de sa nomination ; « impératif » signifie que le candidat doit être bilingue au moment de sa nomination.

postes bilingues « impératifs » au sein de la haute direction, les ministères et organismes peuvent maintenant, sans passer par le Conseil, demander directement à la Commission :

- d'exempter des employés nommés à un poste de direction bilingue dans une *région bilingue* de l'obligation de posséder un niveau de compétence intermédiaire en langue seconde au moment de sa nomination ; et
- d'exempter de la même condition les personnes nommées à un poste de sous-ministre adjoint dans la région de la Capitale nationale.

Règle générale, ces exemptions sont accordées lorsqu'il est démontré que le candidat n'a pas eu la possibilité d'acquérir ou de maintenir une connaissance fonctionnelle de la langue seconde. Voilà une échappatoire qui, à notre avis, favorise les abus. Si un poste est désigné bilingue « impératif », il devrait être comblé *uniquement* par un candidat possédant déjà la compétence linguistique voulue. Autrement, la notion de dotation « impérative » perd tout son sens. Introduite il y a une dizaine d'années, cette règle avait pour objet de mettre fin à l'adaptation sans cesse renouvelée des exigences linguistiques d'un poste en fonction de la compétence des candidats. Non seulement ces exceptions constituent-elles un paradoxe, mais elles remettent en question le principe du mérite. Les exigences d'un poste — linguistiques ou autres — ne devraient pas être ainsi contournées à loisir.

Ces nouvelles directives ont eu un autre effet particulièrement désolant : certains ministères y voient déjà le signe que les agences centrales s'intéressent de moins en moins à ce qui se passe sur le front de la langue de travail. Si une telle perception se répand, les chances de l'employé moyen de travailler dans sa langue pourraient bien être réduites à néant.

Les problèmes dont nous venons de traiter sont certes importants, mais ils sont loin d'être insurmontables. Encore une fois, nous pressons le gouvernement de se pencher sérieusement sur nos recommandations et d'expliciter les droits des fonctionnaires dans une *Loi sur les langues officielles* révisée. Si les hauts fonctionnaires montrent la voie, si les agences centrales émettent des directives précises, si l'on élabore des stratégies de mise en œuvre et de contrôle efficaces, la réforme du régime de la langue de travail a de bonnes chances d'être menée à bien.

Recommandations

- Les réunions de la haute direction devraient se dérouler dans les deux langues, et la présidence devrait être confiée de préférence à la personne bilingue occupant le poste le plus élevé.
- Le concept de l'offre active doit également faire partie intégrante du régime de la langue de travail : les employés doivent être incités à utiliser leur langue d'élection.

- Afin de bien asseoir le principe de l'*obligation civique réciproque*, une disposition obligeant le surveillant ou le cadre supérieur à encourager de façon active l'usage du français et à créer un milieu propice à cet effet devrait être intégrée à l'énoncé des objectifs de tous les gestionnaires afin qu'ils aient à rendre compte de leur rendement en ce domaine.
- Les divers aspects du problème de la langue de travail — encadrement bilingue, tenue des réunions, évaluation du rendement, etc. — devraient faire l'objet d'un programme de formation.
- Étant donné que le niveau de compétence intermédiaire est insuffisant pour la plupart des postes de gestion importants, le nombre de postes d'encadrement exigeant un niveau de compétence avancé en langue seconde devrait être progressivement augmenté à partir d'objectifs réalistes. A de rares exceptions près, les postes des échelons inférieurs devraient exiger davantage que le niveau de compétence élémentaire en langue seconde.
- Les postes de direction désignés bilingues « impératifs » devraient dorénavant être pourvus, sans exception, par des candidats bilingues.

* * *

Les lecteurs qui seraient curieux de voir comment les trois objectifs que nous avons exposés ci-dessus peuvent être traduits dans la réalité, trouveront des réponses à leurs questions en lisant la partie III du présent rapport où l'on examine le rendement linguistique de 50 ministères et organismes fédéraux.

PARTIE III

L'égalité linguistique dans les institutions fédérales

Cinquante joueurs : la main à la pâte

Trois critères ont présidé au choix des ministères et organismes fédéraux dont le rendement linguistique est analysé dans les pages qui suivent : a) certains — marqués d'un astérisque — ont fait l'objet en 1986 d'une vérification ou d'un suivi de la part du Commissariat ; b) d'autres offrent au public canadien à travers le pays des services particulièrement importants ; c) d'autres enfin sont essentiels au fonctionnement de l'appareil gouvernemental. Quant aux organismes dont nous ne faisons pas état, leur situation linguistique n'en a pas moins fait l'objet d'un examen sérieux : nous en parlerons dans un prochain rapport. Les textes ci-après constitueront un point de référence pour les rapports subséquents présentés par le Commissaire au Parlement ou au Gouvernement.

Pour chaque ministère ou organisme, on indique au départ s'il y a eu, en 1986, progrès importants, stagnation ou régression en ce qui a trait à la réalisation des objectifs linguistiques. Suit une brève description de son rendement dans trois domaines fondamentaux : le service au public, la langue de travail et la participation équitable ; ceux-ci constituent en effet, d'après la résolution parlementaire de 1973, les trois composantes de l'égalité linguistique. Le « service au public » comprend non seulement la prestation de services dans la langue du client lorsque celui-ci en fait la demande, mais aussi l'offre active de ce service et sa parfaite accessibilité. Quant à la « langue de travail », c'est la liberté dont jouissent les employés des organismes fédéraux dans les régions bilingues d'accomplir leurs tâches quotidiennes en français ou en anglais. Enfin, la « participation équitable » correspond à la possibilité, pour les Canadiens d'expression tant française qu'anglaise, de profiter pleinement de l'embauche dans la Fonction publique fédérale. Nos analyses abordent chacun de ces aspects ainsi que la gestion du programme des langues officielles. Enfin, on indique le nombre de plaintes fondées reçues au cours de l'année, que l'on compare au total de l'année précédente, et, le cas échéant, on donne les faits saillants des plaintes et on indique les tendances visibles quant à leur objet, ou encore à la région ou à l'unité en cause.

En parcourant ces 50 analyses, le lecteur pourra se faire une bonne idée des réalisations linguistiques des organismes fédéraux concernés au cours de l'année. Ceux qui s'intéressent de façon générale à la question connaîtront mieux nos

constatations et seront ainsi plus à même de nous aider à titre d'observateurs avertis ; quant aux responsables, à tous les échelons, de la gestion du programme des langues officielles, ils seront au fait de ce qui reste à accomplir, et nous avons bon espoir de les voir multiplier leurs efforts en vue d'instaurer l'égalité linguistique au sein de leur organisme.

Affaires des anciens combattants*

En 1986, les efforts du ministère des Affaires des anciens combattants pour perfectionner son programme des langues officielles se sont traduits par une amélioration du service au public. Par contre, on ne voit guère de résultats concrets en ce qui a trait à l'utilisation du français au travail. Quant à l'embauche de francophones à l'administration centrale de Charlottetown et aux possibilités de les y retenir, il semble que ces tâches — dont nous reconnaissons la difficulté — soient toujours au-dessus des forces du Ministère.

Au cours des visites effectuées en 1986 pour mesurer les progrès du Ministère dans la mise en œuvre des 31 recommandations de notre vérification de 1984, on a constaté l'adoption partielle ou intégrale de 27 d'entre elles. Parmi celles auxquelles le Ministère n'a pas encore donné suite, l'une, ayant trait à la traduction des manuels d'informatique, n'a pu être appliquée parce que l'on procédait à une révision en profondeur des manuels en question. Une autre visait à corriger la faiblesse de la participation francophone à Charlottetown et dans l'Ouest ; le problème est toujours aussi urgent et on devra s'y attaquer sans plus tarder. Les deux autres recommandations s'adressaient aux directions générales des Services aux anciens combattants et de l'Office de l'établissement agricole des anciens combattants, à qui l'on demandait d'effectuer un sondage sur la langue d'élection de leur clientèle ; elles n'ont pu être mises en œuvre en raison d'une importante réorganisation, mais des travaux préparatoires ont été effectués.

Les employés ont reçu récemment une note de service leur rappelant la politique ministérielle sur l'offre active de service ainsi que les normes régissant l'affichage bilingue dans les aires de réception. Malgré cela, on constate encore des lacunes dans certains endroits stratégiques. Il est difficile pour un client francophone de se faire servir dans sa langue dans les bureaux de Toronto et de Windsor : dans ce dernier bureau, on a même dû diriger un ancien combattant d'expression française vers un agent bilingue d'un autre ministère.

Des 698 postes d'encadrement du Ministère, 342 (49 p. 100) sont désignés bilingues et sont occupés par des titulaires qualifiés. En règle générale, les employés sont encadrés et évalués dans leur langue, et la capacité bilingue des gestionnaires s'est accrue : le nombre de surveillants possédant une connaissance de niveau intermédiaire de leur langue seconde est passé de 220 à 256. Cependant, l'anglais prédomine comme langue de travail partout sauf au Québec ; même dans les bureaux des régions bilingues et à l'administration centrale de Charlottetown, il est rare qu'on entende parler français. Et si l'on se fie aux taux de participation, la situation n'est pas près de changer.

Le Ministère compte 3 648 employés, dont 1 452 sont francophones (39,8 p. 100) ; il faut toutefois préciser que 1 201 d'entre eux travaillent au Québec, dont 1 097 à l'hôpital de Sainte-Anne-de-Bellevue, en banlieue de Montréal. Si l'on exclut le secteur hospitalier, le pourcentage de francophones chute à 14,9 p. 100. Et quand on sait que 108 des 266 postes dans la région de la Capitale nationale sont occupés par des francophones, il n'est guère étonnant que la présence francophone ailleurs au pays soit d'une faiblesse alarmante.

Le point névralgique demeure l'administration centrale de Charlottetown où la proportion d'employés francophones a diminué, passant de 13,8 p. 100 à 12,3 p. 100, soit seulement 95 employés sur 770. Les efforts de recrutement sur le campus de l'Université de Moncton et auprès de la population des Îles-de-la-Madeleine, de même que l'extension de la zone de concours de recrutement au Québec et au Nouveau-Brunswick, n'ont pas suffi à relever le taux de participation des francophones. Au contraire, ceux qui s'étaient engagés à travailler à Charlottetown pour une période de deux ans sont de plus en plus nombreux à choisir de retourner dans les régions où l'enseignement, les divertissements et les autres services en français leur sont plus aisément accessibles, ainsi qu'à leur famille.

Malgré des besoins qui se font de plus en plus pressants, le Ministère n'a toujours pas élaboré un plan détaillé visant à régler le problème du déséquilibre de la participation à l'administration centrale et dans les régions, comme nous l'avions recommandé à la suite de notre vérification de 1984. Le problème ne se limite d'ailleurs pas à Charlottetown. A l'ouest de la Capitale nationale, seulement 23 des 960 postes (2,4 p. 100) ont des titulaires francophones. Les francophones ne comptent que pour 15 p. 100 de l'effectif dans la catégorie Gestion, et si leur nombre a augmenté dans la catégorie Administration et service extérieur (19 p. 100), la situation laisse encore à désirer.

Par contre, certaines initiatives méritent d'être soulignées. Le Ministère a entrepris un examen approfondi de la désignation linguistique de tous les postes. La mise en œuvre d'un nouveau système de rapports trimestriels lui permet de mieux contrôler l'aspect linguistique du service à la clientèle. En septembre 1986, les employés ont reçu une brochure fort bien faite, intitulée *Les langues officielles - vos droits et responsabilités*, à laquelle est venue s'ajouter une série de bulletins traitant de questions connexes. En outre, au printemps, on a fait parvenir à tous les cadres supérieurs un résumé de notre Rapport annuel 1985, mettant l'accent sur les questions intéressant le Ministère et les invitant à évaluer le rendement de leur secteur d'activité à la lumière de ce document.

Par ailleurs, nous avons effectué un suivi de nos vérifications de 1984 auprès des quatre organismes associés au ministère des Affaires des anciens combattants : la Commission canadienne des pensions, le Bureau des services juridiques des pensions, la Commission des allocations aux anciens combattants et le Conseil de révision des pensions.

La plupart des 350 employés de la **Commission canadienne des pensions** ont été intégrés au Ministère. Cette importante réorganisation n'a cependant pas empêché la mise en œuvre de six de nos neuf recommandations. Des trois autres, l'une signalait à la Commission que l'application de sa politique n'était pas suivie d'assez près, la deuxième la nécessité d'accroître l'imputabilité des gestionnaires à cet égard et la troisième avait trait à l'identification des préférences linguistiques des anciens combattants. Des 21 postes encore occupés en août 1986, tous étaient situés à Charlottetown et 10 étaient pourvus par des francophones.

Le **Bureau des services juridiques des pensions** avait mis en œuvre deux de nos cinq recommandations : l'amélioration de la capacité bilingue à Toronto et à Windsor, et l'usage des deux langues lors des réunions. Par contre, on n'avait mis en place aucun système visant à mesurer la qualité linguistique des services offerts aux anciens combattants, les employés n'avaient pas encore été informés de leurs droits et obligations en matière de langues officielles, et aucune mesure n'avait été prise pour s'assurer qu'ils soient évalués dans leur langue. Comme dans la plupart des portefeuilles des Affaires des anciens combattants, les choses n'ont guère changé au Bureau sur le plan de la participation : des 132 employés, seulement 29 sont francophones (22 p. 100).

La **Commission des allocations aux anciens combattants** a encore amélioré sa performance linguistique, déjà excellente. L'accueil, tant au téléphone qu'en personne, se fait maintenant dans les deux langues, et le service bilingue au public est des plus satisfaisants. Onze des 14 titulaires de postes bilingues, y compris les 4 surveillants, répondent aux exigences. Les employés ont reçu une note leur rappelant leur droit d'être évalués dans leur langue ; les nouveaux formulaires permettent d'ailleurs aux employés d'indiquer leur préférence en la matière. La diffusion des directives internes se fait maintenant dans les deux langues. L'équilibre de la participation vient couronner cet excellent rendement linguistique : des 27 employés, qui travaillent tous à Charlottetown, 10 sont francophones (37 p. 100) et 17 anglophones (63 p. 100).

Le **Conseil de révision des pensions** a avisé ses employés de leurs droits et obligations linguistiques et a marqué d'importants progrès au chapitre de la participation. En 1984, le Bureau n'avait que 3 anglophones parmi ses 14 employés, alors qu'il en compte aujourd'hui 12 sur 23. Plusieurs postes temporaires ont également été confiés à des anglophones. Le service au public est disponible en français et en anglais et les deux langues sont librement utilisées au travail.

Cette année, le Ministère a fait l'objet de trois plaintes, soit une de plus que l'an dernier. L'une provenait d'un ancien combattant francophone ayant reçu un formulaire bilingue partiellement rempli en anglais, tandis que les deux autres mettaient en cause l'unilinguisme de l'accueil aux bureaux de district de l'Île-du-Prince-Édouard et de North Bay. Toutes ont été réglées. La plainte déposée en 1985 contre la Commission des sépultures de guerre du Commonwealth touchant

l'unilinguisme du registre des visiteurs au cimetière de Beny-sur-Mer, en France, a été résolue de manière satisfaisante, de même qu'une autre plainte au sujet de la papeterie unilingue anglaise de la Commission. Aucune plainte n'a été portée contre les quatre organismes associés.

Affaires extérieures*

Le ministère des Affaires extérieures a marqué plusieurs points en 1986 ; cependant il lui reste encore des problèmes à résoudre quant à l'usage du français au travail et à la gestion du programme des langues officielles. Parmi les réalisations qui valent d'être soulignées, mentionnons la modification des normes internationales visant la lecture mécanique des passeports afin de permettre l'utilisation des accents français. Sauf exceptions, le Ministère n'éprouve pas de difficultés à servir le public dans les deux langues officielles. Cependant, les obstacles à l'usage du français au travail sont nombreux. La Division de la vérification interne a mis en œuvre de nouveaux mécanismes de contrôle ; mais le Ministère pourrait encore augmenter largement l'efficacité de la gestion de son programme des langues officielles en précisant mieux les responsabilités linguistiques des gestionnaires.

Des 1 165 agents du service extérieur en poste au Canada et dans les 118 missions du Ministère à l'étranger, 923 (79 p. 100) sont bilingues. Par contre, la proportion de bilingues ne s'établit qu'à 50 p. 100 parmi les 488 secrétaires et les 285 commis permutants. Ce problème, ainsi que la faible compétence linguistique d'employés affectés à Ottawa, notamment dans la catégorie Opérations et Entretien, ont été signalés dans des rapports antérieurs mais le Ministère n'a manifestement pas réussi à les régler.

Les clients de l'administration centrale, des grandes missions à l'étranger et des bureaux des passeports sont généralement accueillis et servis dans les deux langues officielles. Cependant, les services consulaires posent des problèmes : 25 missions, dont celles de Bonn, de Singapour et de Tokyo, n'ont chacune, qu'un employé capable d'offrir un service en français. Au Canada, 6 des 16 bureaux des passeports, dont ceux de Halifax et de Calgary, n'ont qu'un employé bilingue. Trop souvent, les bureaux de poste des régions majoritairement anglophones n'ont pas de formulaires de passeport en français, et l'inverse se produit également dans les régions francophones.

Les efforts visant à promouvoir l'usage des deux langues officielles au travail peuvent être qualifiés de passables. Le Ministère a donné suite à une initiative mentionnée brièvement dans notre rapport de l'an dernier, soit l'étude des répercussions des systèmes informatiques sur la langue de travail. Il a émis une nouvelle directive selon laquelle les employés doivent avoir la possibilité de communiquer avec ces systèmes dans la langue officielle de leur choix, et a entrepris d'adapter ses 13 systèmes internes à cette exigence.

Si le Ministère s'empresse de bilinguiser ses systèmes informatiques, il n'en va pas de même pour les autres services internes. L'administration centrale et nombre

de missions à l'étranger souffrent toujours d'une pénurie de personnel de soutien bilingue, de sorte que certains agents francophones ont du mal à faire dactylographier des textes ou à faire prendre des messages en français. En outre, certains services centraux et du personnel les plus importants, tels la rémunération et les avantages sociaux, ne sont pas toujours offerts en français. Cette année, plusieurs francophones qui partaient à l'étranger ont eu droit à des séances d'information et à une documentation sur la sécurité et d'autres sujets en anglais seulement.

Les employés francophones éprouvent de la difficulté à communiquer en français avec le secteur de l'administration et la Direction générale des biens. A peine 25 p. 100 des postes de la Direction de l'acquisition des biens et de l'aménagement sont désignés bilingues, et seulement 4 des 15 postes d'architecte et d'ingénieur exigent une connaissance du français. Il convient de souligner que l'unilinguisme de ce secteur est un problème depuis longtemps. En général, on ne présente qu'en anglais les rapports de vérification interne : c'était même le cas du rapport 1986 sur l'ambassade à Paris.

La bilinguisation des postes d'encadrement pose toujours un problème. En effet, 21 p. 100 des 373 surveillants non permutants ne satisfont pas aux exigences linguistiques de leur poste, ce qui n'est pas pour favoriser l'usage du français au travail. Par contre, le Ministère a incité les employés à demander d'être évalués dans leur langue d'élection et il a également rehaussé les exigences linguistiques pour les membres des importants comités de promotion et d'évaluation afin d'assurer qu'ils soient en mesure d'exécuter leurs tâches dans l'une ou l'autre langue officielle.

Plusieurs services s'occupant d'affaires sociales et culturelles travaillent surtout en français ; par contre, l'anglais prédomine dans les secteurs du commerce, des affaires et de la politique. L'usage du français se fait plus fréquent dans les réunions aux échelons supérieurs.

Les taux de participation des francophones et des anglophones n'ont pas changé depuis l'an dernier, s'établissant respectivement à 29 et 71 p. 100 d'un effectif de 4 205. Les francophones sont toujours sous-représentés dans la catégorie Gestion supérieure, où ils constituent 20 p. 100 des 406 employés, mais sont relativement plus nombreux chez les chefs de mission, occupant 27 des 103 postes. Chez les agents du service extérieur, les francophones représentent 281 des 1 165 employés (24 p. 100) et les anglophones 884 (76 p. 100).

Le nombre de plaintes contre le Ministère est passé de 11 en 1985 à 27 en 1986. Vingt et une d'entre elles concernaient la langue de service dans les missions à l'étranger, les bureaux de passeports et l'administration centrale. Six autres portaient sur la langue de travail, et surtout sur l'absence de services centraux et du personnel en français.

Le Ministère nous paraît mériter des éloges pour le règlement d'une plainte particulièrement complexe. En vertu d'ententes conclues sous les auspices de

l'Organisation de l'aviation civile internationale, plusieurs pays, dont le Canada, ont adopté une nouvelle formule de passeports compréhensibles par une machine destinée à accélérer les formalités d'immigration dans les aéroports internationaux : or, les normes techniques initiales n'avaient pas prévu les accents français. Le Ministère a donc entrepris des démarches auprès de l'Organisation et a réussi à faire modifier les normes, s'imposant ainsi comme chef de file parmi les pays francophones incluant ceux qui ont fait du français l'une de leurs langues officielles. A la fin de l'année, le Ministère avait entrepris l'élaboration des normes techniques pour le nouveau matériel.

Une autre plainte vaut d'être soulignée : le taux de participation des francophones au Bureau des négociations commerciales, porte-parole du Canada dans les négociations sur le libre-échange avec les États-Unis. Cette plainte est traitée de façon détaillée dans le chapitre sur la participation équitable. Si le Ministère s'empresse de régler les problèmes portés à son attention, il ne semble pas encore avoir découvert les bienfaits de la médecine préventive.

Affaires indiennes et du Nord canadien

La situation linguistique du ministère des Affaires indiennes et du Nord canadien est restée précaire au cours de la dernière année. Sa capacité bilingue est toujours aussi faible dans les régions, le français n'occupe pas la place qui lui revient à l'administration centrale, et le taux de participation des francophones demeure insuffisant.

Le Ministère a terminé cette année le sondage entrepris en 1982 auprès des 596 bandes indiennes qui constituent sa principale clientèle à travers le pays ; il en ressort qu'au Québec 15 bandes préfèrent être servies en français, 15 en anglais et 5 dans les deux langues. Partout ailleurs — sauf au Nouveau-Brunswick, où une bande tient aussi à être servie dans les deux langues officielles —, on a choisi de communiquer avec le Ministère en anglais. Cela ne signifie pas pour autant que ce dernier doive négliger ses clients de langue minoritaire : il lui incombe plutôt de s'employer à leur offrir plus activement ses services dans leur langue officielle d'élection. Or non seulement la capacité bilingue du Ministère est-elle très faible dans les régions, mais ses efforts pour la faire connaître ont été minimes : il s'est contenté de publier, dans certains répertoires téléphoniques à travers le pays, le numéro de sa ligne INWATS donnant accès à des services bilingues à l'administration centrale. Ce service, mis à l'essai il y a déjà deux ans, n'a fait l'objet d'aucune autre publicité, et le Ministère n'a encore pris aucune disposition afin d'en faire l'évaluation. Au Nouveau-Brunswick, la réduction des effectifs a entraîné le départ de 6 francophones sur 10 au bureau de Fredericton, provoquant ainsi une détérioration de la situation linguistique : aujourd'hui, un seul des cinq titulaires de postes désignés bilingues possède la compétence linguistique voulue.

Côté langue de travail, la grande majorité des employés francophones choisissent d'être évalués et de suivre leurs cours de formation et de perfectionnement en anglais. Cette attitude indique bien le degré d'indifférence qui règne quant à l'usage

et à la promotion du français en milieu de travail. Par ailleurs, les vérificateurs internes du Ministère ont constaté une fois de plus l'existence d'outils de travail unilingues anglais à l'administration centrale, où certaines équipes éprouvent toujours les mêmes difficultés à communiquer en français avec la région du Québec.

La participation globale des francophones se maintient à un faible niveau de 15,2 p. 100. Le seul objectif du Ministère en cette matière — les ambitions sont limitées — est d'augmenter ce pourcentage à 17 p. 100, notamment aux échelons supérieurs. Les francophones sont sous-représentés dans toutes les catégories professionnelles, à tous les échelons et dans la plupart des régions. Leur proportion parmi les membres de la direction, qui n'était que de 15,7 p. 100 en 1985, a baissé cette année à 10,9 p. 100 (6 sur 55). En Ontario, on ne dénombre que 11 francophones sur 771 employés (1,4 p. 100), tandis que l'Atlantique n'en compte que 5 sur 159 (3 p. 100). Au Québec, les anglophones (des enseignants pour la plupart) occupent 16,8 p. 100 des postes.

Le Ministère n'a pas cru bon d'élaborer un plan des langues officielles pour 1986-1987. Il s'est contenté d'intégrer quelques objectifs généraux à son plan pluriannuel des ressources humaines et de demander aux gestionnaires de faire de même en tenant compte de ces objectifs généraux. L'équipe de vérification interne, pour sa part, a été peu active dans le domaine des langues officielles cette année. Si l'un des deux rapports qu'elle a produits en 1985-1986 souligne les lacunes de l'administration du programme au sein d'une direction générale, il ne contient cependant aucune recommandation. De plus, l'équipe des langues officielles, réduite à sa plus simple expression (un employé), n'a pu mettre sur pied aucun mécanisme de surveillance et de contrôle.

Cette année, nous avons reçu cinq plaintes mettant en cause le Ministère alors qu'aucune n'avait été déposée en 1985. Trois concernaient une offre d'emploi qui n'a pas été publiée dans la presse de langue officielle minoritaire de la Nouvelle-Écosse. La quatrième avait trait à la langue de service au Nouveau-Brunswick et la cinquième dévoilait un problème de langue de travail au Québec. Ces cinq plaintes qui ont été reçues durant les derniers mois de 1986 étaient encore à l'étude en fin d'année.

Agriculture*

Le ministère de l'Agriculture n'a guère progressé sur le plan des langues officielles cette année, et son rendement en ce domaine reste faible. Il devra donc redoubler d'efforts s'il veut se conformer davantage à la Loi. A cet égard, la création d'un comité directeur des langues officielles, chargé d'assurer un contrôle plus rigoureux et de remédier aux lacunes, constitue un pas dans la bonne direction.

Globalement, la capacité bilingue du Ministère s'est légèrement accrue cette année, tant par le nombre de postes bilingues (2 717 comparativement à 2 611 en 1985) que par la proportion de titulaires qualifiés, qui est passée de 83,7 à 85,2 p. 100.

Malheureusement, cette hausse ne s'est pas traduite par une offre de services bilingues plus active à l'extérieur du Québec, de la région de la Capitale nationale et du Nouveau-Brunswick. En effet, seulement 126 employés parmi les quelque 6 500 que comptent les autres régions occupent un poste bilingue, ce qui est extrêmement faible.

Si l'usage du français au travail demeure insuffisant à l'extérieur du Québec, le Ministère a fait quelques efforts pour y remédier : il a maintenu des cellules de travail en français dans la région de la Capitale nationale, et pris des mesures visant à encourager les employés à rédiger des documents en français et à utiliser cette langue lors des réunions.

La participation francophone se situe à 21,2 p. 100 (2 572 employés sur 12 109), soit sensiblement le même taux que l'année dernière. La situation régionale est stagnante : les francophones sont sous-représentés au Nouveau-Brunswick (16,3 p. 100), en Ontario (2,9 p. 100 en dehors de la Capitale nationale) ainsi qu'au Manitoba (0,8 p. 100). Au Québec, la participation anglophone a encore diminué, pour s'établir à 3,9 p. 100. On constate par ailleurs des déséquilibres importants selon les niveaux hiérarchiques et les catégories d'emploi : les francophones occupent à peine 10 p. 100 des postes supérieurs et 13 p. 100 de ceux de la catégorie Gestion.

En ce qui a trait à l'administration du programme, les gestionnaires sont tenus d'atteindre les objectifs linguistiques de leur secteur. La vérification linguistique est confiée à la Direction générale de la vérification et de l'évaluation des programmes. Toute dérogation à la politique linguistique du Ministère est portée à l'attention de la Division des langues officielles qui communique alors avec les gestionnaires en cause.

Nous avons reçu 10 plaintes contre le Ministère cette année, comparativement à 13 l'an passé. Huit touchaient les communications écrites avec le public, notamment l'utilisation de la presse de langue officielle minoritaire. Les deux autres plaintes avaient trait à une note de service en anglais seulement et aux exigences linguistiques d'un poste.

Air Canada*

La situation linguistique d'Air Canada a connu peu de changements en 1986. La Société continue de progresser, mais lentement, sur la plan du service au public. Une mention spéciale doit toutefois lui être accordée pour son excellente performance linguistique lors d'Expo 86 : elle n'a affecté à son pavillon que du personnel bilingue, et l'affichage était dans les deux langues officielles. Par ailleurs, malgré une légère augmentation du nombre de gestionnaires francophones, le français reste sous-utilisé en milieu de travail. Manifestement, seule une plus grande sensibilisation des gestionnaires à leurs responsabilités linguistiques et la mise en place de contrôles rigoureux permettront de résoudre les problèmes persistants. En d'autres mots, l'égalité de statut des deux langues

officielles ne sera atteinte au sein de la Société que si elle se soucie davantage des exigences de la réforme de notre régime linguistique.

En règle générale, les vols d'Air Canada sont pourvus de personnel bilingue. Nos enquêteurs ont en effet noté que les services chargés de la composition des équipages s'efforcent de respecter les normes de capacité bilingue minimale. Ainsi, grâce à la présence d'au moins un agent bilingue à bord de chaque vol, il est rare que les annonces régulières ne soient pas faites dans les deux langues ; quant aux annonces impromptues, les données recueillies par la Société indiquent qu'elles sont bilingues à plus de 90 p. 100. Par contre, bien que plus de 60 p. 100 des agents de bord soient bilingues, le service en personne n'est pas toujours assuré dans les deux langues officielles. La Société demande bien à ses agents de bord unilingues de faire appel au besoin à un collègue bilingue, mais cette procédure s'est avérée difficilement applicable dans plusieurs cas. Air Canada reconnaît cette faiblesse et poursuit ses efforts en vue d'accroître le nombre d'agents de bord bilingues.

Par ailleurs, la Société devra se montrer beaucoup plus dynamique en ce qui a trait à l'offre active de service. Qu'il s'agisse de l'accueil à la porte de l'avion ou des services offerts pendant le vol, les passagers francophones se voient encore très souvent abordés en anglais seulement. Signalons toutefois qu'Air Canada a eu cette année l'excellente idée de mettre sur pied à l'intention des agents de bord un programme de sensibilisation qui traite notamment de la nécessité de respecter la préférence linguistique des passagers. La Société se doit de multiplier les initiatives du genre afin d'améliorer l'offre de ses services dans les deux langues officielles ; nécessité que nous lui signalons depuis quelques années déjà.

La qualité linguistique des services au sol au Canada varie beaucoup selon les régions et le type de service. Ainsi, à quelques exceptions près — notamment à Sydney (N.-É.) — les services de réservations téléphoniques sont accessibles dans les deux langues, partout au pays et en tout temps. Par contre, la capacité bilingue du personnel affecté aux agences urbaines à l'extérieur du Québec demeure très faible ; elle est même nulle aux agences de Saint-Jean (N.-B.) et de Sydney.

Sur les 31 aéroports canadiens que dessert Air Canada, 13 ne satisfont pas encore aux exigences de capacité bilingue minimale que la Société s'est elle-même fixées. (Ces exigences étant dans certains cas très élevées, il faut toutefois reconnaître que deux de ces aéroports — Ottawa et Moncton — sont dotés d'un nombre appréciable d'agents bilingues.) Par exemple, il n'y a que 2 employés bilingues sur 20 à l'aéroport de Saskatoon et 1 sur 8 à celui de Saint-Jean (N.-B.) ; alors que le nombre d'agents bilingues à l'aéroport de Winnipeg est passé de 22 sur 74 en 1985 à 17 sur 84 en 1986. Il arrive donc encore que des annonces soient faites en anglais seulement. Mais ce sont les échanges directs entre passagers et agents qui souffrent le plus de ces lacunes. La Société compte sur le recrutement et la formation linguistique pour y remédier, mais d'ici à ce que le personnel

bilingue soit en nombre suffisant, elle doit chercher à tirer le meilleur parti de ses ressources actuelles. Air Canada doit donc procéder au plus tôt à un meilleur déploiement des agents bilingues dans chaque aéroport, et contrôler rigoureusement l'identification des guichets où le service est disponible dans les deux langues. Le travail de sensibilisation aux droits linguistiques des passagers doit également être poursuivi plus activement auprès des agents : les infractions portées à notre attention sont souvent dues à des oublis ou à de la négligence de leur part.

A l'aéroport international de Toronto, un des plus importants au pays, les gestionnaires d'Air Canada se sont enfin engagés à prendre des mesures correctives ; nous nous en réjouissons, car les plaintes que nous continuons de recevoir à l'endroit de cet aéroport indiquent que les services en français n'y sont pas encore assurés de façon adéquate.

En matière d'offre active, les services au sol d'Air Canada ne font pas meilleure figure que ceux en vol. Les directives de la Société touchant l'accueil bilingue sont rarement respectées dans les aéroports et les agences urbaines, à cause semble-t-il d'un manque de conviction de la part des gestionnaires, qui mettent bien peu d'ardeur à en assurer le respect. Il est pourtant établi que les échanges entre un client et un agent se déroulent très souvent dans la langue utilisée par ce dernier au moment de l'accueil ; l'accueil bilingue demeure donc le moyen le plus sûr de respecter la préférence linguistique du client.

A l'étranger, la situation varie d'un endroit à l'autre : les services d'Air Canada sont généralement disponibles dans les deux langues officielles en Europe, et de plus en plus aux États-Unis. Par contre, on signale encore des faiblesses importantes dans les Antilles, où 2 points de service sur 10 ne sont pourvus d'aucune capacité bilingue ; de même, les régions de Bombay et de Singapour ne comptent aucun agent bilingue.

Les communications écrites avec le public s'effectuent en français et en anglais, ou dans la langue préférée du client. Côté publicité, cependant, Air Canada se refuse toujours à utiliser l'anglais sur ses panneaux-réclame à Montréal, ce qui est tout à fait inacceptable compte tenu de l'importance de la clientèle anglophone.

Notre enquête sur la langue de travail dans les directions de la Maintenance (mécaniciens), du Service en vol (agents de bord) et des Opérations aériennes (pilotes) n'était pas encore terminée à la fin de l'année. Cependant, les premières données recueillies indiquent clairement que le français a beaucoup de difficulté à s'imposer en milieu de travail au Québec. On note tout de même des progrès depuis notre dernière étude dans ces mêmes secteurs en 1977 : les communications d'ordre administratif s'effectuent beaucoup plus aisément dans la langue officielle de l'employé, et les instruments de travail de nature non technique sont disponibles dans les deux langues. La Société s'est de plus engagée à mettre à la disposition des mécaniciens, à titre expérimental, un certain nombre de cartes de travail bilingues (ces cartes sont utilisées quotidiennement pour la vérification des

appareils) et ce, bien que les tribunaux ne se soient pas encore prononcés à ce sujet. Dans l'attente de la décision de la Cour d'appel du Québec, qu'Air Canada cherche à obtenir le plus rapidement possible, notre Commissariat suivra de près la mise en œuvre de cet engagement. Mais l'anglais n'en demeure pas moins la langue d'usage dans les activités quotidiennes de la Maintenance et des Opérations aériennes à Dorval, ce qui ne saurait s'expliquer exclusivement par le caractère hautement technique du travail dans ces deux directions. Le nombre élevé de surveillants et d'employés unilingues anglais, ainsi que les vieilles habitudes de travail, n'ont rien pour encourager l'usage du français dans les communications internes, d'autant plus que la formation n'est toujours offerte qu'en anglais aux pilotes et aux mécaniciens spécialisés. Bref, des trois directions qui ont fait l'objet d'une enquête, seule celle du Service en vol semble offrir des possibilités réelles de travailler dans sa langue officielle d'élection.

Par ailleurs, Air Canada n'a pas encore terminé sa révision des exigences linguistiques des postes, entreprise l'an dernier par suite de nombreux changements organisationnels en vue de mieux répondre aux besoins en matière de langue de travail. Cette étude constituera un outil précieux pour la Société, et nous espérons qu'elle la terminera en 1987. Quoi qu'il en soit, la situation sur le plan de la langue de travail ne pourra s'améliorer sensiblement que si la direction se montre plus décidée à agir en ce domaine.

Sur les 21 483 employés que compte la Société, 21,9 p. 100 sont francophones. Bien que ce taux soit identique à celui de l'an dernier, les francophones représentent maintenant 19,1 p. 100 de la catégorie Gestion, comparativement à 18,9 p. 100 en 1985. Des efforts importants devront toutefois être consentis pour accroître la proportion des pilotes de langue française au sein d'Air Canada, qui est, pour l'ensemble du Canada, de 14 p. 100.

En fait, le programme des langues officielles dans son ensemble trouve difficilement sa place parmi les priorités de la direction, davantage préoccupée par le contexte économique actuel. Les gestionnaires font parfois preuve d'une certaine indifférence face aux objectifs du programme ou quant aux moyens à prendre pour les atteindre ; en d'autres mots, ils ne semblent pas prêts à intégrer pleinement les obligations linguistiques à leurs activités courantes. C'est pourquoi nous demandons à la Société de renforcer les mécanismes de contrôle existants et de mieux préparer ses gestionnaires à leurs responsabilités linguistiques. Air Canada a créé récemment un réseau de coordonnateurs des langues officielles touchant l'ensemble de ses services ; souhaitons que cette initiative, fort louable, s'avère profitable.

Des plaintes reçues cette année à l'endroit d'Air Canada, 69 touchaient les services au sol, dont 16 mettaient en cause l'aéroport de Toronto. Le service en vol a fait pour sa part l'objet de 23 plaintes. Neuf plaintes ont été enregistrées au chapitre de la langue de travail. D'autre part, nous avons reçu une centaine de communications concernant la publicité, la majeure partie touchant la

non-publication d'annonces dans la presse minoritaire ; à la fin de 1986, nous étions encore à déterminer lesquelles de ces plaintes étaient fondées.

Approvisionnements et Services*

Le ministère des Approvisionnements et Services semble avoir repris sa vitesse de croisière après deux années de profonde restructuration. On peut espérer que sa nouvelle structure lui permettra d'aller encore plus loin dans la mise en œuvre de son programme linguistique.

Dans l'ensemble, le Ministère s'acquitte consciencieusement de ses obligations linguistiques envers sa clientèle. Il éprouve cependant certaines difficultés à offrir des services en français à Winnipeg et à Toronto en raison du faible nombre d'employés bilingues dans ces régions (quatre à chaque endroit). Voilà une situation qu'il est grandement temps de corriger. Par ailleurs, les communications avec le public se font normalement dans la langue du client, et le Ministère s'est efforcé de mieux connaître la composition linguistique de sa clientèle. De même, la Division des pensions de retraite signale la préférence linguistique de chaque fonctionnaire dans son dossier, tout comme celle des fournisseurs qui transigent avec le gouvernement fédéral est indiquée dans les dossiers informatisés de renseignements sur les contrats. Par contre, nous avons noté lors de notre dernière vérification que les cahiers des charges sont souvent rédigés en anglais seulement par les ministères qui achètent des biens et services par l'intermédiaire d'Approvisionnements et Services. Or celui-ci considère qu'il n'est pas de son ressort de traduire ces documents à l'intention des fournisseurs francophones. Ces derniers ont pourtant le droit de traiter avec le gouvernement fédéral dans leur langue. Le Ministère devra donc s'entendre avec le Secrétariat du Conseil du Trésor et les ministères clients sur les modalités de traduction et de publication des cahiers des charges, afin d'offrir une chance égale aux fournisseurs francophones et anglophones dans le processus d'attribution des marchés. Un traitement équitable des deux groupes linguistiques en ce domaine contribuera à la relance du programme des langues officielles non seulement au sein du gouvernement fédéral, mais également dans le secteur privé.

Le Centre d'édition du gouvernement du Canada a entrepris cette année de remettre au secteur privé la vente de toutes les publications du gouvernement fédéral. A cet effet, le Ministère a d'abord lancé un projet pilote qui se déroule présentement au Nouveau-Brunswick. En vertu de leur contrat, les libraires agréés qui y participent doivent offrir leurs services dans les deux langues officielles. Une fois cette expérience menée à bien, le Centre entend négocier des ententes semblables avec d'autres libraires agréés dans tout le pays.

Le Ministère compte 3 742 employés titulaires de postes bilingues, dont 3 270 (87,4 p. 100) satisfont aux exigences prescrites. Dans les régions bilingues, tous les postes de réceptionniste exigent la connaissance des deux langues ; la Division des pensions de retraite, pour sa part, s'est dotée d'un système de répartition des

appels lui permettant d'offrir rapidement ses services dans l'une ou l'autre langue officielle à quelque 110000 clients par année.

Le Ministère a pris plusieurs mesures cette année en vue de promouvoir l'égalité de statut des deux langues officielles au travail : il a publié et distribué à tous les employés sa politique révisée des langues officielles et rehaussé les exigences linguistiques des postes de surveillants au niveau intermédiaire ou supérieur. Il a en outre mis en place un système de contrôle grâce auquel les sous-ministres adjoints sont avisés si un document unilingue est distribué aux employés, ou si un document rédigé en anglais est transmis aux bureaux du Québec. Par ailleurs, une vérification effectuée cette année dans les directions chargées de l'approvisionnement nous a permis de constater que le français occupait une place insuffisante comme langue de travail dans la région de la Capitale nationale. La Direction générale des communications fait cependant exception à la règle en raison du grand nombre de francophones qui y travaillent. Dans les autres régions, nous avons observé plus tôt cette année que plusieurs notes de service et directives étaient distribuées en anglais seulement aux employés (y compris ceux de la région de Montréal) avec la mention *French to follow*. Cela nous paraît inacceptable ; aussi demandons-nous aux sous-ministres adjoints, qui sont régulièrement informés de ces écarts à la politique du Ministère, de prendre les mesures qui s'imposent pour que l'information soit diffusée simultanément dans les deux langues.

Le Ministère compte 9863 employés dont 5934 sont anglophones (60,2 p. 100) et 3929 (39,8 p. 100) francophones. Ces derniers sont trop nombreux aux échelons inférieurs (44,9 p. 100), et ils sont sous-représentés au niveau supérieur (20,9 p. 100), notamment dans la catégorie Gestion (22,2 p. 100). Les anglophones, pour leur part, sont en nombre insuffisant dans les catégories Exploitation (37,0 p. 100) et Soutien administratif (57,8 p. 100). Leur participation au Québec n'atteint que 6,6 p. 100 dans la région de Montréal et 1,4 p. 100 dans le reste de la province.

Par suite de sa restructuration, le ministère des Approvisionnements et Services a décentralisé les activités de gestion du programme des langues officielles. Le personnel affecté à sa mise en œuvre s'en est trouvé réduit de moitié, mais la planification en cette matière a été intégrée au processus de planification globale du Ministère, et les gestionnaires sont tenus responsables des objectifs qu'ils ont à atteindre. Il est encore trop tôt pour juger des retombées de cette intégration.

Nous avons reçu 29 plaintes contre le Ministère en 1986, comparativement à 14 en 1985. Huit d'entre elles avaient trait à l'accueil unilingue anglais, au téléphone ou en personne, dans divers bureaux à travers le pays, 15 autres à des publications partiellement ou totalement unilingues, à des circulaires, à des inscriptions unilingues anglaises sur des étiquettes, et 2 à un colloque à l'intention des fournisseurs du Nouveau-Brunswick qui s'est tenu en anglais seulement, sans interprétation simultanée. Nous avons reçu également quatre plaintes liées à la langue de travail : deux concernant les exigences linguistiques d'un poste, et deux

autres des notes de service et des documents de travail unilingues anglais. La coopération du Ministère dans le règlement de ces plaintes a été bonne dans l'ensemble.

Banque du Canada

La Banque du Canada continue de progresser sur le plan linguistique grâce à un programme énergique de contrôle et d'innovation. Tout en maintenant l'excellence de ses services en 1986, elle a lancé de nouvelles activités dans le cadre d'un programme destiné à promouvoir l'usage du français au travail. Le défi qu'il lui reste à relever en cette matière est d'accroître la proportion de surveillants bilingues. Comme nous le mentionnions dans notre rapport de l'an dernier, il y aurait lieu d'augmenter le nombre de francophones aux échelons supérieurs et celui des anglophones au sein de la catégorie Exploitation.

Avec 1 065 employés bilingues, soit 45 p. 100 de l'effectif, la Banque n'éprouve aucune difficulté à offrir spontanément ses services dans les deux langues, tant au siège social que dans ses agences régionales. Dans le cadre de ses activités de contrôle, la Banque a entrepris d'évaluer la qualité de l'accueil téléphonique dans ses agences, de même que celle des services offerts dans la langue de la minorité. Le comité de direction a également autorisé la traduction d'un catalogue de rapports techniques à l'intention des étudiants d'université et du personnel.

Soucieuse d'améliorer une performance linguistique déjà bonne en ce domaine, la Banque consacre beaucoup de temps et d'énergie à son programme de la langue de travail. Parmi les initiatives spéciales entreprises en 1986, notons l'acquisition d'un nouveau logiciel pour élaborer un glossaire et, partant, améliorer la qualité des traductions ainsi que l'institution de « journées francophones », qui donnent à tous les employés l'occasion de travailler en français à certains jours déterminés. La Banque a maintenu son programme d'échange d'employés grâce auquel ces derniers peuvent passer un certain temps à travailler dans leur langue seconde dans une agence régionale. En outre, la Banque consacre des sommes importantes à la formation linguistique et ses trois principaux bureaux disposent de professeurs à temps plein. A l'heure actuelle, un peu plus de la moitié des 424 surveillants sont bilingues, et les autres (46 p. 100) se voient accorder la priorité pour parfaire leurs connaissances linguistiques durant les heures de travail.

La Banque a un effectif total de 2 387 employés, dont les deux tiers sont anglophones. Au sein du groupe Exploitation et Soutien administratif, ils ne représentent que 62,2 p. 100 des quelque 1 700 employés. Par contre, les francophones sont quelque peu sous-représentés parmi les spécialistes du groupe Analyse (22,7 p. 100) et Administration (21,2 p. 100) et les gestionnaires (21,4 p. cent).

Le programme des langues officielles de la Banque est bien intégré aux responsabilités des gestionnaires et bénéficie grandement de l'engagement manifeste de la haute direction.

La Banque n'a fait l'objet d'aucune plainte en 1986.

Banque fédérale de développement

La Banque fédérale de développement s'est efforcée cette année de tirer un meilleur parti de ses ressources bilingues. Il serait cependant souhaitable qu'elle détermine les exigences linguistiques des postes eux-mêmes, ce qui lui permettrait d'améliorer et de stabiliser sa capacité bilingue.

La Banque marque des points au chapitre du bilinguisme pour ce qui est de l'affichage, de l'accueil téléphonique ou en personne, de la documentation et de la correspondance avec ses clients. La publicité postale destinée aux clients potentiels est bilingue, et la Banque publie régulièrement des annonces dans la presse minoritaire. Cependant, 9 de ses 24 succursales situées dans des régions où la population minoritaire est importante (la Banque compte 77 succursales en tout) ne sont pas en mesure d'offrir systématiquement dans les deux langues tous les services à leur clientèle et à leur personnel.

L'unilinguisme d'un grand nombre d'employés dans les régions se répercute à l'administration centrale à Montréal. En effet, la Banque y affecte certains de ses gestionnaires pour quelques années afin de favoriser leur développement professionnel — mais non linguistique. Il en résulte qu'une forte proportion des gestionnaires travaillant à Montréal (47 p. 100) sont unilingues, et que les employés ne peuvent pas toujours être encadrés et évalués dans leur langue d'élection. Par contre, la publicité pour la dotation des postes est invariablement bilingue. Alors que les effectifs de la Banque connaissaient une réduction constante depuis quelques années, la tendance s'est renversée en 1986 : ils sont passés de 1 207 à 1 242 employés. La proportion des francophones continue de croître et atteint maintenant 28,1 p. 100 (par rapport à 27,4 p. 100 en 1985). Les postes dotés par arrêtés en conseil ont été comblés par des francophones dans 5 cas sur 13.

Plusieurs améliorations importantes sont à signaler en ce qui a trait à la gestion du programme des langues officielles. Ainsi, la Banque a fait passer un test de compétence linguistique de niveau B à ses employés bilingues ; soit 24,8 p. 100 de l'effectif. Par contre, elle n'a pas encore établi les exigences linguistiques de ses postes. Une telle mesure, alliée à la dotation dite « impérative », représenterait un moyen efficace d'améliorer la capacité bilingue des succursales où la demande de services dans les deux langues est importante.

L'utilisation des médias de langue minoritaire, la dotation et la participation sont soumises à un contrôle rigoureux. En outre, la Banque a incorporé récemment une grille de vérification linguistique à son processus d'inspection des succursales, qui prévoit notamment la mesure du degré de satisfaction de la clientèle de langue minoritaire. De telles mesures de contrôle sont fort pertinentes, mais il reste que les objectifs linguistiques ne sont pas suffisamment intégrés aux objectifs opérationnels, et que les gestionnaires ne sont toujours pas jugés quant au rendement linguistique de leur unité de travail lors de leur évaluation annuelle.

La Banque a fait l'objet de 12 plaintes en 1986, la plupart ayant trait à la publicité dans la presse minoritaire. L'une d'elles est digne de mention : une succursale

a annoncé un séminaire dans un journal de langue minoritaire, ce qui est un bon point en soi ; mais le texte français était imprimé dans un caractère minuscule en comparaison de l'annonce en anglais, ce qui constitue un accroc à l'égalité des langues officielles. La Banque assure un règlement rapide et efficace des plaintes.

Bureau du Conseil privé

Au cours de l'année 1986, le Bureau du Conseil privé a amélioré son programme des langues officielles, déjà bien établi ; il peut donc s'attaquer aux quelques problèmes qui demeurent en ce qui a trait à la participation des deux groupes linguistiques et au degré de connaissance de la langue seconde exigé pour certains postes bilingues.

Malgré les fluctuations de son effectif, le Bureau a réussi à maintenir un pourcentage élevé de postes bilingues, soit plus de 83 p. 100. En outre, 87,4 p. 100 des titulaires répondent maintenant aux exigences. Cependant, étant donné que sa clientèle est composée dans une large mesure de hauts fonctionnaires et de ministres, le Bureau devrait exiger davantage qu'une connaissance intermédiaire de la langue seconde chez les cadres supérieurs.

Si le problème des commissionnaires unilingues en poste aux entrées des immeubles du Bureau n'a pas été entièrement résolu, des mesures ont manifestement été prises en ce sens. En effet, nous avons noté une nette amélioration de la capacité bilingue à plusieurs endroits.

Le Bureau tente de créer un climat permettant à ses employés de travailler dans la langue de leur choix : 86,3 p. 100 des surveillants sont bilingues, une amélioration sensible depuis 1985 (78,7 p. 100). Des mesures ont été adoptées pour faire en sorte que les postes bilingues soient comblés par des personnes linguistiquement compétentes et que les employés soient évalués dans leur langue. En outre, les réunions, notamment celles des cadres, se tiennent maintenant en français et en anglais.

Bien que la représentation des deux groupes linguistiques accuse toujours certains déséquilibres, la participation anglophone a gagné trois points par rapport à 1985 et atteint maintenant 54 p. 100. Cela est vrai pour la plupart des échelons hiérarchiques et des catégories professionnelles, dont celle du Soutien administratif où l'on a habituellement du mal à atteindre à une participation équitable. L'effectif anglophone y est passé de 42 p. 100 en 1985 à 45 p. 100 cette année. Cependant, si le nombre de francophones dans la catégorie Gestion s'est légèrement accru pour atteindre 20 p. 100, on n'en retrouve toujours qu'un seul parmi les 11 postes de sous-secrétaires et de secrétaires adjoints. Manifestement, le Bureau a encore du chemin à faire avant d'atteindre à une participation équitable des deux groupes linguistiques.

Le Bureau reconnaît l'importance d'une gestion efficace du programme des langues officielles, comme en témoignent l'intégration d'objectifs pertinents aux plans

opérationnels, le contrôle régulier de la situation et l'ajout d'un volet linguistique à ses activités de vérification interne.

Le Bureau a rapidement résolu les trois plaintes que nous avons portées à son attention en 1986. Deux d'entre elles déploraient qu'une commission royale d'enquête ait omis d'utiliser la presse minoritaire et l'autre concernait l'accueil téléphonique unilingue.

Cabinet du Premier ministre*

Déjà bien sensibilisé à l'importance du programme des langues officielles, le Cabinet du Premier ministre a su corriger avec diligence les quelques faiblesses notées dans notre dernier rapport annuel. C'est ce qui est ressorti du suivi de notre vérification de 1985.

Les employés bilingues forment maintenant les deux tiers des effectifs, comparativement à 55 p. 100 en 1985 ; en outre, la direction incite activement ses employés à parfaire leur connaissance de la langue seconde au moyen de la formation linguistique. Autre amélioration : les visiteurs sont maintenant accueillis par des commissionnaires bilingues aux principales entrées des immeubles du Cabinet.

On note également des progrès sur le plan de la langue de travail grâce notamment à l'amélioration de la capacité bilingue parmi le personnel d'encadrement. Plus de la moitié des quelque 30 gestionnaires possèdent une connaissance de niveau supérieur de leur langue seconde, et 3 autres suivent des cours de langue. Dans tous les secteurs d'activité, les employés de chaque groupe linguistique peuvent maintenant être encadrés dans leur langue, et l'usage du français au cours des réunions s'est aussi accru.

La participation globale des francophones et des anglophones est la même que l'an dernier, soit 40 et 60 p. 100 respectivement, et leur répartition entre les catégories d'emploi est bien équilibrée. Le Cabinet a révisé cette année sa définition des diverses catégories professionnelles pour la rendre conforme à celle utilisée par la Commission de la Fonction publique. A la suite de cette redéfinition, les francophones comptent maintenant pour près du tiers des 19 cadres supérieurs — alors que leur présence dans ce groupe était faible l'an dernier. Par ailleurs, la proportion des anglophones dans le Soutien administratif est passée de 48 à 55 p. 100.

La coordination du programme des langues officielles se fait désormais d'une façon plus rigoureuse. Ainsi, on a évalué plus précisément les connaissances linguistiques des agents et des cadres supérieurs, et on s'apprêtait à la fin de 1986 à définir plus systématiquement les exigences linguistiques des postes.

Somme toute, nous ne pouvons que nous réjouir des progrès réalisés en 1986. En donnant l'exemple, des organismes prestigieux comme le Cabinet du Premier ministre apportent une contribution essentielle à la réforme du régime linguistique.

Nous n'avons reçu aucune plainte contre le Cabinet en 1986.

Chambre des communes

En 1986, l'Administration de la Chambre des communes a une fois de plus amélioré son programme des langues officielles en accroissant sa capacité de servir les membres du Parlement et le public aussi bien en français qu'en anglais. Ses efforts pour promouvoir l'utilisation du français au travail ont également connu un modeste succès. Cependant, certains cours ne sont toujours pas offerts en français, et l'anglais continue de prédominer dans les réunions. D'autre part, en dépit de quelques progrès, le taux de participation global des anglophones demeure trop faible.

Étant donné l'importance symbolique de la Chambre des communes et les 750 000 visiteurs qu'elle accueille chaque année, l'Administration se doit de s'assurer qu'un fort pourcentage de son personnel soit bilingue. Sa décision de janvier 1985 selon laquelle les postes désignés bilingues (soit à peu près les trois quarts) seraient accordés à des candidats ayant déjà une bonne connaissance des deux langues officielles, a largement contribué à faire progresser la situation : aujourd'hui, près de 76 p. 100 des titulaires satisfont pleinement aux exigences. Le pourcentage de gardes de sécurité bilingues s'accroît d'année en année, atteignant maintenant 81,4 p. 100. Tous les guides ainsi que les 40 étudiants d'université qui font office de pages sont bilingues.

Les possibilités pour les francophones de travailler dans leur langue augmentent progressivement. La plupart des documents de travail sont disponibles dans les deux langues, et on rappelle régulièrement aux surveillants qu'ils doivent encadrer et évaluer les employés dans leur langue d'élection. Les réunions de certaines unités se tiennent dans les deux langues, la moitié des questions à l'ordre du jour étant débattues en français. L'Administration doit maintenant se consacrer à d'autres problèmes : certains logiciels et manuels à l'intention des opérateurs n'existent qu'en anglais ; les cours offerts aux gardes de sécurité ne sont pas toujours donnés en français ; et environ 90 p. 100 des échanges dans les réunions du comité directeur et du comité d'administration ont lieu en anglais.

On note une légère amélioration au chapitre de la participation des anglophones : ces derniers représentent maintenant 38 p. 100 des 1 616 employés, contre 37 p. 100 en 1985. Des augmentations plus importantes sont à souligner dans les catégories Soutien administratif et Gestion, où ils sont passés respectivement de 22 à 28 p. 100 et de 50 à 56 p. 100. L'élargissement de la région où sont annoncés les concours de dotation a contribué à accroître le nombre et le pourcentage de recrues anglophones qui se maintient autour de 50 p. 100 depuis 1985. Toutefois, s'il est compréhensible qu'un organisme à vocation nationale comme la Chambre des communes puisse s'écarter du rapport de trois pour un que l'on recherche ailleurs entre les deux groupes linguistiques, il est quand même préoccupant que la participation globale des anglophones se maintienne à moins de 40 p. 100. Comme nous le recommandions lors de notre vérification de 1985, l'Administration devrait mettre au point dans les meilleurs délais un plan d'action approprié.

L'Administration a apporté des modifications à la gestion de son programme des langues officielles. Notre recommandation visant les tests de connaissances linguistiques a abouti à l'application de méthodes plus strictes, et un nouveau système sera mis en place d'ici le printemps 1987. Au lieu de préparer des plans d'action en matière de langues officielles, l'Administration se fie désormais à un système amélioré de gestion des données sur les employés pour obtenir tous les renseignements nécessaires aux activités de contrôle et d'analyse. Pourtant, ces plans constituaient un excellent instrument de contrôle pour les gestionnaires et le personnel chargé des questions linguistiques. Nous avons donc conseillé à la Chambre d'étudier soigneusement les répercussions du nouveau système sur la qualité de l'évaluation du programme avant de décréter l'abandon définitif de l'ancienne méthode. Nous suivrons ce dossier de près.

L'Administration a fait l'objet de quatre plaintes en 1986 — comparativement à huit l'année dernière —, auxquelles elle s'est empressée de donner suite. Deux plaintes mettaient en cause des comités spéciaux qui avaient omis d'annoncer leurs activités dans les médias de la minorité francophone de deux régions. Une autre portait sur le service offert en anglais seulement par un garde de sécurité et la dernière, qui fait toujours l'objet de discussions, portait sur le droit d'un agent de travailler dans la langue officielle de son choix.

Chemins de fer nationaux

Peu de changements sont survenus en 1986 aux Chemins de fer nationaux du Canada (CN) en ce qui a trait au programme des langues officielles. La Société s'est contentée de poursuivre les objectifs linguistiques établis antérieurement, remettant à plus tard les modifications importantes et les ajouts qui s'imposent pourtant de toute urgence.

La Société ne s'est pas encore attaquée sérieusement aux lacunes persistantes de sa situation linguistique : aucuns pourparlers n'ont eu lieu avec le syndicat en vue d'améliorer le service dans les deux langues officielles à bord des trains de Via Rail, et les dispositions restrictives de sa politique au sujet de la langue de travail n'ont pas été modifiées. Notons toutefois que le CN a enfin procédé cette année à un recensement portant sur la première langue officielle de ses employés.

Si les clients industriels et ceux des hôtels peuvent correspondre en tout temps avec le CN dans l'une ou l'autre langue officielle, ce n'est que dans les régions bilingues qu'ils pourront converser avec le personnel dans leur langue d'élection. Ailleurs, notamment à l'hôtel Newfoundland, les clients de langue minoritaire devront encore très souvent reformuler leurs requêtes dans la langue du préposé.

Sauf au Québec et sur le trajet Ottawa-Montréal, les préposés du CN chargés du contrôle des billets et des annonces à bord des trains de Via Rail ne communiquent généralement qu'en anglais avec les voyageurs, ce qui constitue une infraction flagrante à la *Loi sur les langues officielles* et au paragraphe 20(1) de la *Charte canadienne des droits et libertés*. Cette situation est d'autant plus

déplorable que, par le passé, la Société n'a même pas appliqué à Toronto les clauses linguistiques — pourtant moins exigeantes que la Loi — de la convention collective liées à l'affectation de préposés bilingues. Selon ces dispositions, « les employés qui établissent leur ancienneté comme serre-freins le 1er avril 1968 ou subséquemment ne pourront être affectés au service des trains des lignes ci-dessous [notamment Ottawa-Toronto et Montréal-Toronto] que s'ils connaissent suffisamment les deux langues officielles, soit le français et l'anglais, pour satisfaire aux principales exigences de la clientèle du CN ».

L'organisme maintient une bonne performance pour tout ce qui touche l'employé sur le plan personnel : les documents, les instruments de travail (y compris les systèmes informatisés), les cours internes de formation et les services du personnel sont généralement disponibles dans les deux langues. En outre, le CN prévoit ajouter à son formulaire d'évaluation du rendement une case qui permettra aux employés d'indiquer leur préférence linguistique. Cependant, la Société ne reconnaît toujours pas le droit des employés de travailler en français à l'extérieur du Québec — même au Nouveau-Brunswick et dans la région de la Capitale nationale —, par exemple lors des réunions, dans les rapports, les notes de service, etc. Cela est contraire à l'esprit et à la lettre de la Constitution et de la *Loi sur les langues officielles* en ce qui a trait aux régions bilingues du pays.

Le taux de participation global ainsi que la répartition des deux groupes linguistiques aux divers échelons de la hiérarchie sont sensiblement les mêmes que l'année dernière dans les régions et les secteurs étudiés : la représentation francophone se situe à 32,1 p. 100 à l'administration centrale à Montréal, à 79,8 p. 100 dans la région du Saint-Laurent et à 33,8 p. 100 dans celle de l'Atlantique. Les francophones occupent 20,7 p. 100 des postes parmi les 300 les plus élevés du réseau, mais leur proportion est toujours faible chez les cadres supérieurs de l'administration centrale (19,7 p. 100) ainsi que chez les cadres supérieurs (11,8 p. 100) et les cadres intermédiaires (18,2 p. 100) dans la région de l'Atlantique. La participation des anglophones au Québec s'est légèrement accrue pour atteindre 35,2 p. 100.

Vingt-deux plaintes furent portées directement contre le CN en 1986, comparativement à 24 en 1985, dont 9 touchaient l'affichage, 7 l'absence de publicité dans la presse minoritaire, et 6 autres la langue de service. Par ailleurs, 13 autres plaintes mettaient en cause des préposés du CN à bord des trains de Via Rail. Si la Société s'est empressée de régler certaines plaintes (notamment celle liée à Expo 86), elle fait preuve dans l'ensemble d'une lenteur injustifiable. Les plaintes qui impliquent ses préposés à bord des trains, en particulier, ne reçoivent pas toujours l'attention requise.

Commissariats à l'information et à la protection de la vie privée*

Créés en juillet 1983, les Commissariats à l'information et à la protection de la vie privée se sont dotés d'un système de gestion intégrée. En matière de langues

officielles, la vérification que nous y avons effectuée cette année révèle qu'ils devront persévérer dans l'effort, notamment aux chapitres du service au public et de la langue de travail.

Les Commissariats s'assurent de servir les plaignants qui s'adressent à eux dans leur langue officielle, disposant à cette fin de 8 enquêteurs bilingues sur 17. Par contre, ils n'exercent pas la même vigilance dans leurs échanges avec les coordonnateurs de l'accès à l'information et de la protection de la vie privée des organismes fédéraux mis en cause, ni avec les fonctionnaires en général ; comme s'ils n'avaient pas envers ceux-ci les mêmes obligations linguistiques qu'envers le public. Les Commissariats devront abandonner cette idée erronée et rendre bilingues la majorité des postes d'enquêteur.

Bien que huit surveillants sur neuf soient bilingues et que la plupart des instruments de travail soient disponibles dans les deux langues, la présence d'un grand nombre d'employés unilingues anglophones ne permet pas aux enquêteurs francophones d'utiliser couramment leur langue lors des réunions. En outre, la rédaction des rapports d'enquête se fait presque toujours dans la langue des plaignants, qui est principalement l'anglais. Le fait que cette langue prédomine dans les communications avec les plaignants ne devrait cependant pas empêcher le français d'avoir une place équitable dans les communications internes, notamment dans la rédaction de rapports. Un plus grand nombre d'enquêteurs bilingues permettrait assurément aux francophones d'utiliser plus aisément leur langue dans les réunions. Signalons par ailleurs que les employés ont accès sans difficultés aux services centraux et du personnel dans leur langue.

Le personnel des Commissariats est composé de 29 anglophones (59 p. 100) et de 20 francophones (41 p. 100). Compte tenu du petit nombre d'employés, ces taux de participation sont acceptables. Par contre, il n'y a aucun francophone parmi les six employés de la Direction de l'observation, et les anglophones sont sous-représentés dans la Direction de la gestion intégrée (41,2 p. 100).

Afin de corriger ces diverses lacunes, les Commissariats devront se doter d'une politique et de directives plus précises en matière de langues officielles, et suivre de près leur mise en œuvre.

Seul le Commissariat à la protection de la vie privée a fait l'objet d'une plainte en 1986 ; le problème soulevé fut rapidement résolu.

Commission canadienne des droits de la personne

La Commission canadienne des droits de la personne a continué d'améliorer son programme des langues officielles, notamment par la résolution de certains problèmes liés à la langue de travail soulignés dans notre dernier rapport annuel. Il lui reste néanmoins du travail à faire dans ce domaine, tout comme dans celui de la participation des deux groupes linguistiques.

Des 169 postes de la Commission — concentrés dans la région de la Capitale nationale —, environ les deux tiers exigent la connaissance des deux langues ;

à quelques exceptions près, leurs titulaires sont qualifiés. La capacité bilingue de l'organisme s'avère satisfaisante dans ses sept bureaux régionaux, où plus d'un tiers des postes sont pourvus de titulaires bilingues.

La Commission continue de rencontrer régulièrement des représentants des minorités linguistiques afin de leur expliquer son rôle et de souligner qu'elle offre ses services dans les deux langues.

Au chapitre de la langue de travail, nous nous réjouissons des directives données aux gestionnaires au sujet des instruments de travail, des communications avec le bureau de Montréal et du sort qui doit être fait aux documents de travail unilingues portant l'odieuse mention : *French to follow*. Cependant, la Commission n'a pas encore réglé l'un des problèmes soulevés dans le rapport de l'année dernière : le formulaire d'évaluation ne permet toujours pas aux employés d'indiquer leur préférence linguistique. L'organisme s'est engagé à combler cette lacune importante en 1987.

Au cours de 1986, la participation des deux groupes linguistiques s'est légèrement modifiée : les anglophones représentent maintenant 63,9 p. 100 du personnel, une légère baisse par rapport à l'an dernier, tandis que les francophones atteignent 36,1 p. 100. On remarque encore des déséquilibres dans certaines catégories d'emploi et à certains échelons de la hiérarchie. Par exemple, les francophones pourraient être plus nombreux dans la catégorie Gestion (14,3 p. 100), et les anglophones dans celle du Soutien administratif (45,6 p. 100). La Commission devrait également se pencher sans tarder sur les taux de représentation dans ses bureaux régionaux : un seul des 24 employés à l'ouest de l'Ontario est francophone, tandis que le bureau de Montréal ne compte aucun anglophone parmi ses 9 employés. On ne prévoit pas s'attaquer à ces problèmes avant 1987-1988.

La Commission assure une gestion efficace de son programme des langues officielles : c'est ainsi qu'on intègre des objectifs précis aux plans opérationnels des gestionnaires et qu'on présente des rapports d'activité trimestriels au comité de coordination chargé des langues officielles, et composé de membres de la haute direction.

Aucune plainte n'a été portée en 1986 contre la Commission.

Commission de la Capitale nationale*

La Commission de la Capitale nationale fait preuve d'un bilinguisme exemplaire dans ses affiches, ses publications et ses services au public. Cependant, elle n'a guère marqué de progrès dans la réalisation d'autres objectifs. L'usage du français comme langue de travail laisse toujours à désirer, et ce en dépit d'une trop forte participation francophone dans toutes les catégories sauf celle de la Gestion.

La Commission reconnaît l'importance de toute demande de service dans l'une ou l'autre langue officielle. Elle s'assure donc de disposer d'une capacité bilingue suffisante. En 1986, elle a distribué un questionnaire destiné à mesurer le taux de satisfaction de sa clientèle à cet égard.

Si la Commission s'acquitte honorablement de ses tâches linguistiques, on ne peut en dire autant de ses concessionnaires. Malgré les dispositions contractuelles à cet effet, ces derniers sont souvent incapables d'assurer le service dans les deux langues, comme en témoigne le nombre de plaintes qu'ils suscitent. A la suite de notre vérification de 1986, nous avons recommandé à la Commission d'élaborer une politique linguistique précisant les obligations de ses locataires et de ses concessionnaires en matière de langues officielles, et de mettre en place les mécanismes de contrôle appropriés. La solution à ce problème se fait attendre depuis longtemps.

Déjà en 1971, la Commission avait établi un programme de bilinguisme externe qui visait à favoriser, au moyen de subventions, le bilinguisme au sein des municipalités, des organisations et des entreprises du secteur privé. Cette année, le Secrétariat du Conseil du Trésor a délégué auprès de la Commission un cadre supérieur chargé d'élaborer une stratégie assurant que les services offerts aux visiteurs de la Capitale nationale témoignent de l'importance accordée par le gouvernement fédéral à l'égalité des deux langues officielles. A ce jour, la Commission a mené de larges consultations auprès de représentants des autorités provinciales et municipales, du secteur privé, des collectivités et d'autres ministères et organismes fédéraux intéressés.

Cette année, la Commission a demandé à ses gestionnaires de déterminer les préférences linguistiques de leurs employés en matière d'évaluation du rendement et de s'y conformer. Cependant, étant donné que le formulaire n'invite pas l'employé à exprimer sa préférence et que 52 des 196 surveillants (26,5 p. 100) occupant un poste bilingue ne répondent pas aux exigences prescrites, il est difficile de déterminer jusqu'à quel point l'évaluation du personnel se fait dans la langue des intéressés. Les cadres supérieurs sont encore trop nombreux à ne pouvoir travailler en français ; en outre, la tendance à travailler en anglais est renforcée par l'unilinguisme de certains documents de travail et par le comportement du comité exécutif de gestion, qui donne le ton en la matière en tenant ses réunions et en rédigeant ses procès-verbaux presque exclusivement en anglais. Nous avons donc recommandé à la Commission dans notre rapport de vérification de mettre au point un nouveau plan relatif à la langue de travail qui insiste sur la langue de l'encadrement et des documents de travail, et de le mettre en œuvre d'ici le 31 mars 1987. La Commission a accepté de donner suite à notre recommandation et de faire de la langue de travail sa plus haute priorité.

En réponse à une autre recommandation visant à assurer un meilleur équilibre dans la participation des francophones et des anglophones aux divers échelons et dans les différentes catégories d'emploi, la Commission a convenu de réexaminer ses pratiques de recrutement et de prendre les mesures qui s'imposent. Les anglophones ne constituent que 53,2 p. 100 de l'effectif global, soit 419 des 787 employés ; et s'ils sont trop nombreux parmi les cadres (6 sur 7), c'est le problème inverse qui se pose dans les autres catégories professionnelles, notamment dans celles du Soutien administratif, où ils ne comptent que pour

52 des 111 employés (46,8 p. 100), et de l'Exploitation, où ils n'occupent que 182 des 361 postes (50,4 p. 100).

La Commission a adopté plusieurs mesures importantes en vue d'améliorer la gestion de son programme. Par exemple, elle a entrepris de réviser sa politique des langues officielles et de clarifier les responsabilités de ses gestionnaires en cette matière.

Cette année, la Commission a fait l'objet de 12 plaintes, contre seulement 5 en 1985. Toutes concernaient la langue de service, mais deux seulement mettaient en cause des employés de la Commission. Les autres avaient trait aux services d'agents ou de concessionnaires. Dans tous les cas, la Commission a pris les mesures nécessaires.

Commission de la Fonction publique*

A la Commission de la Fonction publique, le respect des obligations en matière de langues officielles coule toujours de source. En 1986, le service au public a été offert activement dans les deux langues et, dans les régions bilingues, les employés ont pu travailler dans leur langue d'élection. Par contre, on n'a toujours pas relevé le faible taux de participation des anglophones dans la catégorie Soutien administratif.

Les bureaux de la Commission offrent un accueil dans les deux langues dans tout le pays, et leur capacité d'offrir des services en français et en anglais dans les régions bilingues est plus que suffisante : en effet, 83 p. 100 des postes sont désignés bilingues et 92,5 p. 100 des titulaires (1 829 sur 1 978) répondent aux exigences prescrites. Toutes les publications de la Commission sont bilingues, et la correspondance se fait systématiquement dans la langue du client. Au chapitre de la langue de travail, la Commission a réussi, de façon générale, à offrir à ses employés une possibilité réelle de travailler dans leur langue. Notre récente vérification a toutefois mis au jour certaines anomalies à cet égard, et nous lui avons recommandé d'informer tous ses employés de leurs droits et obligations, et de rappeler clairement sa politique concernant l'usage des deux langues dans les réunions.

Comme l'an dernier, la participation des deux groupes linguistiques au sein de la Commission manifeste un grave déséquilibre. Les anglophones ne constituent en effet que 36,7 p. 100 du personnel (873 employés sur 2 379) ; et même en excluant la Direction générale du programme de la formation linguistique, où les francophones prédominent, cette proportion n'atteint que 46 p. 100. Dans notre rapport de vérification, nous avons recommandé à la Commission de se fixer des objectifs précis et de mettre au point un plan d'action visant à améliorer la participation des anglophones, notamment dans la catégorie Soutien administratif où ils ne forment que 33 p. 100 des effectifs.

Notre vérification a également porté sur le rendement linguistique de la Commission en tant qu'organisme central, rendement qui pourrait être amélioré.

Sans doute a-t-on maintenu les relations avec les minorités dans les régions ; mais dans la période de réductions et de gels budgétaires que l'on connaît actuellement, il importe d'adopter une approche plus dynamique et plus novatrice. Le rapport de vérification recommandait ainsi que les agents de recrutement et d'orientation vers des emplois soient responsables des relations avec les minorités et que l'on mette sur pied des groupes de travail, formés de représentants des ministères, des organismes centraux et des minorités, en vue de définir les stratégies appropriées. Nos recommandations visaient également un autre problème tenace : même si tous les cours existent dans les deux langues, la proportion offerte en français est des plus modestes (22 p. 100 en 1985) ; de plus, bon nombre sont annulés, habituellement en raison du faible taux d'inscription. La Commission a entrepris d'étudier certaines des solutions que nous avons proposées.

La Commission a intégré la gestion des langues officielles à ses opérations. Toutefois, compte tenu de l'exemple qu'elle devrait donner à titre d'organisme central, les ressources allouées à son programme interne des langues officielles paraissent bien maigres et bien éparses. Du moins constate-t-on l'existence de certaines activités de contrôle ; d'autre part, après avoir fait l'inventaire des services fournis à la Commission par des tiers, on a ajouté aux directives sur la préparation des contrats des dispositions portant sur les langues officielles.

Nous avons reçu sept plaintes contre la Commission de la Fonction publique en 1986, comparativement à 12 l'an dernier. L'une portait sur l'absence de certains documents en anglais dans la région de la Capitale nationale, et les six autres sur la langue de service : la qualité du français d'une annonce parue dans un journal ; des cours non offerts en français ; le service unilingue anglais offert par un agent du personnel ; la correspondance anglaise envoyée à un francophone ; et le protocole linguistique de l'accueil téléphonique. La Commission a diligemment collaboré à la solution de ces problèmes.

Communications

Le ministère des Communications se remet lentement d'une importante réorganisation qui a touché tous ses secteurs d'activités. Cela explique sans doute qu'il ait éprouvé des difficultés cette année à maintenir ses principaux acquis en matière de langue de service et qu'il ait même accusé un recul en ce qui a trait à la participation équitable des deux groupes linguistiques. Aux échelons supérieurs, en particulier, les francophones sont nettement sous-représentés, ce qui engendre une certaine inquiétude quant à l'avenir du français en tant que langue de travail au Ministère ; on sait en effet que la proportion de francophones et d'anglophones aux échelons supérieurs influe sur le taux d'utilisation des deux langues au travail. Le Ministère devra donc relancer son programme des langues officielles en lui accordant, comme avant sa réorganisation, toute l'importance qu'il mérite.

Conscient des responsabilités que lui impose le volet culturel de son mandat, le Ministère s'efforce d'assurer à sa clientèle de bons services dans les deux langues

officielles — qu'il s'agisse de la correspondance et des publications, de l'affichage ou du service au téléphone. C'est pourquoi il compte une forte proportion de postes bilingues (50,5 p. 100), lesquels sont assez bien répartis dans les différentes régions du pays. Cependant, un pourcentage élevé de ces postes (14 p. 100) sont occupés par des titulaires qui ne satisfont pas aux exigences prescrites ; le Ministère se voit donc forcé de prendre des dispositions spéciales afin d'offrir des services adéquats. Il a d'ailleurs lui-même noté cette année que l'accueil téléphonique n'était pas toujours assuré dans les deux langues à l'administration centrale et dans les bureaux régionaux, ce qui ne manque pas de surprendre dans un ministère voué aux communications. Il a donc rappelé aux employés, au moyen de publications internes, leurs obligations en ce domaine.

Le Ministère continue d'encourager une utilisation équitable des deux langues officielles en informant régulièrement les employés et les surveillants de leurs droits et obligations en cette matière. Il a effectué cette année un sondage interne sur la question. De plus, le Service de la rémunération et des avantages sociaux a communiqué avec tous les employés au cours de l'année afin de savoir dans quelle langue officielle ils désiraient être servis. Toutefois, ces mesures n'ont pas semblé suffisantes pour faire du français une langue de travail à part entière, en particulier dans le secteur scientifique. Le Ministère a donc entrepris de négocier avec le secteur privé afin de mettre sur pied un programme qui permettrait à des scientifiques francophones de travailler au Centre canadien de recherche sur l'informatisation du travail situé à Laval, en banlieue de Montréal. Ce programme permettrait également un échange de scientifiques entre le centre de Shirleys Bay et celui de Laval. Par ailleurs, si les instruments de travail sont généralement disponibles dans les deux langues officielles, le Ministère a découvert qu'un certain nombre de documents unilingues étaient en circulation ; il a pris les mesures nécessaires pour corriger la situation.

En ce qui a trait à la participation des deux groupes linguistiques, la situation s'est quelque peu détérioriée par rapport à l'année dernière. Le Ministère compte 2 200 employés dont 1 497 sont anglophones (68 p. 100) et 703 francophones (32 p. 100) ; ces derniers sont sous-représentés dans les catégories Scientifiques et spécialistes, Technique et Exploitation, leur taux de participation oscillant entre 20,5 et 21,5 p. 100, alors qu'il dépasse 40 p. 100 dans celles du Soutien administratif et de l'Administration et service extérieur. Par ailleurs, les francophones sont nettement trop nombreux aux échelons inférieurs de la hiérarchie (37,1 p. 100), tout en étant sous-représentés aux échelons supérieurs (19,3 p. 100). Comme nous l'avons mentionné, cette faible participation des francophones dans les postes les plus élevés peut constituer un obstacle sérieux à un usage plus équitable du français au travail ; en outre, étant donné les responsabilités du Ministère dans le domaine culturel, cela pourrait éventuellement nuire aux intérêts de la communauté francophone. Pour corriger cette situation, le Ministère s'est engagé récemment à consentir des efforts particuliers pour augmenter la proportion de francophones dans les postes de sous-ministres adjoints

et de directeurs généraux. Sur le plan régional, la participation des francophones a régressé au Manitoba (2 employés sur 72 comparativement à 7 sur 74 l'année dernière), alors que celle des anglophones reste très faible au Québec (3,4 p. 100) et au Nouveau-Brunswick (39,7 p. 100).

Le Ministère avait entrepris en 1985 de restructurer son programme des langues officielles afin d'accroître la participation des gestionnaires à sa mise en œuvre. Malheureusement, le succès se fait attendre : les gestionnaires semblent encore avoir des difficultés à élaborer des objectifs concrets en cette matière, et doivent recourir aux services des responsables des langues officielles pour y parvenir. En outre, ces objectifs ne sont pas pleinement intégrés aux plans opérationnels, de sorte que nous avons certains doutes quant à l'efficacité de ce processus.

Nous avons reçu 11 plaintes contre le ministère des Communications en 1986. Cinq d'entre elles portaient sur la langue de travail : deux avaient trait à la sous-représentation des francophones à la haute direction, une à un document de travail unilingue anglais, une autre aux exigences linguistiques d'un poste, et une dernière sur la place du français comme langue de conception-rédaction à l'Agence de télécommunications gouvernementales (ATG). Six autres plaintes portaient sur la langue de service ; dans trois cas, on déplorait l'unilinguisme anglais de certaines inscriptions dans des annuaires téléphoniques du gouvernement fédéral (celui de l'Île-du-Prince-Édouard, de la Nouvelle-Écosse et de la région de la Capitale nationale). Les trois autres plaintes portaient sur l'absence d'accueil téléphonique en français de la part de l'ATG.

Conseil de la radiodiffusion et des télécommunications canadiennes

Le Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC) n'a guère progressé au chapitre des langues officielles en 1986, si ce n'est qu'il améliore d'année en année sa prestation de services bilingues. Par contre, malgré la présence d'un grand nombre de francophones au sein de l'organisme, le français n'occupe toujours pas la place qui lui revient comme langue de travail, et la participation des deux groupes linguistiques accuse les mêmes déséquilibres qu'en 1985.

Nous nous devons de souligner l'appui que donne le CRTC aux minorités de langue officielle en encourageant les télédiffuseurs et télédistributeurs à leur offrir une programmation dans leur langue. De plus, le Conseil a reconnu cette année l'importance, pour les minorités francophones, de la distribution d'émissions éducatives en langue française à l'extérieur du Québec.

Le CRTC est en mesure de servir tous les Canadiens dans leur langue officielle d'élection, mais sa clientèle tant francophone qu'anglophone en profiterait davantage si l'accueil téléphonique, à l'administration centrale et dans les régions, se faisait de façon plus constante dans les deux langues. D'autre part, comme l'exige sa politique, le CRTC s'efforce de publier ses avis en français et en anglais dans tout le pays, et de communiquer avec les minorités de langue officielle par

l'entremise de leurs journaux. Malgré la mise en place cette année d'un système de contrôle, nous avons constaté quelques dérogations à cette règle.

Les employés des services administratifs et de soutien, ainsi que ceux de la Direction de l'exploitation au Québec, peuvent travailler dans leur langue officielle d'élection. Ailleurs, malgré la forte proportion de francophones, le français est trop peu utilisé. Près de la moitié des 128 postes de surveillants n'exigent que la connaissance de l'anglais. Il n'est donc pas étonnant de constater que la majorité des réunions se déroulent exclusivement en anglais, et que les ébauches de documents de travail sont généralement préparées, distribuées et discutées dans cette seule langue. Une réévaluation des exigences linguistiques de tous les postes d'encadrement s'impose.

Par ailleurs, il est encourageant de noter que certains employés anglophones du secteur des télécommunications, qui travaillent surtout en anglais, ont pris l'initiative de s'inscrire à des cours privés afin de maintenir ou d'améliorer leur connaissance du français. Quant aux services centraux et du personnel, ils sont généralement disponibles dans les deux langues officielles.

Dans l'ensemble, le taux de participation des francophones, qui comptent pour 51 p. 100 des employés (197 sur 387), est trop élevé. Ils sont toutefois légèrement sous-représentés dans la catégorie Gestion, où ils n'occupent que 7 des 29 postes (24 p. 100), et dans la catégorie Scientifiques et spécialistes, où ils ne sont que 7 sur 36 (19 p. 100). Les anglophones, pour leur part, n'occupent que 30 p. 100 des postes de la catégorie Soutien administratif (34 sur 115), 51 p. 100 de ceux de la catégorie Administration et service extérieur (100 sur 198) et 56 p. 100 des postes de techniciens (5 sur 9).

La gestion des langues officielles ne semble pas être une priorité pour le CRTC, qui ne lui accorde guère de ressources. Les gestionnaires ne sont pas tenus d'intégrer des objectifs en cette matière à leurs plans opérationnels, et on n'a encore mis en place aucun mécanisme de contrôle. Le Conseil devrait, dans les plus brefs délais, accorder davantage d'importance à cette question, et notamment faire de l'usage du français au travail une priorité.

Le CRTC a fait l'objet de cinq plaintes cette année, soit une de plus qu'en 1985. Quatre d'entre elles portaient sur les communications avec le public : parution d'un avis en français seulement dans une publication bilingue ; communiqué en anglais adressé à un hebdomadaire de langue française ; absence de publicité dans une publication de la minorité francophone et mauvaise qualité d'un avis de langue française. La dernière signalait des écarts entre les versions française et anglaise d'un formulaire d'appréciation du rendement des employés. Ces plaintes ont toutes été réglées.

Conseil des Arts

La situation linguistique du Conseil des Arts du Canada est demeurée stationnaire en 1986. S'il continue d'offrir spontanément ses services dans les deux langues,

il n'a pas accompli de progrès manifestes sur d'autres fronts. Malgré une participation francophone excessive, le français n'a pas réussi à s'imposer comme langue de travail. De plus, la direction ne s'est pas engagée à améliorer la gestion et la mise en œuvre du programme des langues officielles.

Étant donné que 204 des 231 employés occupant un poste bilingue parlent les deux langues officielles, le service au public dans les deux langues ne pose aucun problème. Les publications sont bilingues et la correspondance se fait dans la langue du destinataire. Il arrive cependant que la version française d'un document se fasse longtemps attendre. Ainsi cette année, les francophones de la région de l'Atlantique ont dû attendre six mois avant de recevoir la documentation en langue française sur le programme *Début Atlantique*. L'action du Conseil est essentielle à la survie des groupes culturels tant francophones qu'anglophones et, règle générale, il sert bien leurs intérêts. Cependant, il n'a pas jugé utile de procéder, comme nous le recommandions l'an dernier, au réexamen de ses programmes afin de s'assurer que les artistes et les groupes de langue officielle minoritaire bénéficient du soutien nécessaire.

Au chapitre de la langue de travail, la situation demeure inchangée. L'emploi du français est faible en dépit du nombre important de francophones au sein de l'effectif. Bien que les procès-verbaux des réunions du Conseil soient maintenant rédigés dans les deux langues, le fait que certains documents de travail ne soient toujours pas disponibles en français ne favorise pas l'usage de cette langue. En outre, certains employés francophones ne peuvent toujours pas être encadrés dans leur langue en raison de l'unilinguisme de leur surveillant. Cette situation avait été soulignée lors de notre vérification de 1983, mais le Conseil n'a pas fait grand-chose pour résoudre le problème.

A 40 p. 100, la participation globale des anglophones est loin d'être équitable ; les déséquilibres sont particulièrement flagrants dans la catégorie Soutien administratif (19 employés sur 107 ou 18 p. 100) et parmi les agents (54 employés sur 97 ou 56 p. 100). Par contre, on ne compte qu'un francophone parmi les cinq cadres supérieurs.

Il n'existe pas de niveaux distincts dans la connaissance de la langue seconde exigée pour les postes bilingues. Par conséquent, il ne peut y avoir de véritable contrôle des capacités linguistiques au sein de l'organisme. Un comité a été formé l'automne dernier pour examiner la question. En outre, le Conseil n'a toujours pas révisé sa politique désuète des langues officielles en dépit de la recommandation de notre vérification de 1983, de notre suivi de 1985 et des commentaires à cet égard dans nos deux derniers rapports annuels. Il n'a pas cru bon, non plus, de se fixer des objectifs linguistiques ni de définir la responsabilité des chefs de section en cette matière. Manifestement, il est temps que les cadres supérieurs du Conseil accordent la priorité au programme des langues officielles.

Alors qu'il n'y avait eu aucune plainte contre le Conseil l'an dernier, nous en avons reçu une en 1986. Elle provenait d'un francophone ayant reçu une lettre-type en anglais, et a été promptement réglée.

Conseil du Trésor

Comment le Secrétariat du Conseil du Trésor, l'organisme responsable de la gestion du programme des langues officielles au sein du gouvernement fédéral, se comporte-t-il lui-même en matière linguistique ? De façon satisfaisante, mais non irréprochable. Le Secrétariat offre un service bilingue au public et, fait qui vaut d'être souligné, 518 des 565 titulaires de postes bilingues (91,7 p. 100) satisfont aux exigences prescrites. Par contre, le Secrétariat n'est toujours pas venu à bout de ses problèmes en matière de langue de travail : le français reste peu employé lors des réunions et dans les documents internes. En outre, il y a toujours des déséquilibres sectoriels sur le plan de la participation des deux groupes linguistiques.

Ayant remédié au problème de l'accueil unilingue anglais, le Secrétariat n'éprouve aucune difficulté à servir le public dans les deux langues officielles.

Pour ce qui est de la langue de travail, il a tenté d'améliorer la situation en émettant, à l'intention de ceux et celles qui sont appelés à présider régulièrement des réunions, des directives détaillées visant à favoriser le libre usage du français et de l'anglais : elles prévoient entre autres choses la distribution d'ordres du jour bilingues et elles soulignent l'importance pour les président(e)s d'inciter les participants à s'exprimer en français ou en anglais à leur gré. On a également rappelé aux employés leurs droits linguistiques à cet égard. Cependant, faute d'un suivi rigoureux, ces mesures n'ont pas été mises en œuvre de façon systématique. Le Conseil s'est également penché sur les problèmes linguistiques liés à la technologie de l'information. L'absence des accents sur les claviers et les imprimantes, l'unilinguisme des manuels techniques et les difficultés d'accès aux banques de données dans les deux langues, autant de problèmes urgents nécessitant des mesures immédiates.

Le Secrétariat compte 464 employés anglophones (63,9 p. 100) et 262 francophones (36,1 p. 100). La présence des francophones parmi les cadres supérieurs demeure quelque peu faible à 24,4 p. 100 (20 employés sur 82). Par contre, les anglophones sont sous-représentés dans le Soutien administratif (45 p. 100). Ces déséquilibres sectoriels ne sont pas nouveaux : malheureusement, la situation n'a guère changé. Ainsi, seulement 9 des 65 postes de la haute direction et des cadres supérieurs comblés en 1986 (13,8 p. 100) l'ont été par des francophones. Sans négliger le principe du mérite, le Secrétariat devra s'employer à redresser la situation.

Huit plaintes ont été déposées contre le Secrétariat en 1986, comparativement à six l'an dernier. Quatre portaient sur la langue de service et étaient imputables à des erreurs administratives sans gravité. Quant aux quatre autres, qui avaient trait à la langue de travail, elles étaient passablement sérieuses : elles indiquent que l'usage du français au Secrétariat est toujours soumis à des contraintes. Le Secrétariat continue de distribuer des documents unilingues anglais, les francophones sont souvent appelés à s'exprimer en anglais lors des réunions, et les

services techniques internes ne sont pas toujours offerts aussi spontanément en français qu'en anglais. La haute direction du Secrétariat s'est engagée à la fin de l'année à résoudre ces problèmes.

Consommation et Corporations*

Notre récente vérification à Consommation et Corporations Canada révèle que la situation linguistique s'y est quelque peu améliorée depuis notre dernier examen complet en 1981. Dans les régions où la demande est importante, le Ministère offre maintenant de façon plus active ses services dans les deux langues officielles, et il a fait un petit pas dans la bonne direction en ce qui a trait à la participation équitable des deux groupes linguistiques. Par contre, l'usage du français au travail constitue son talon d'Achille.

Pour compenser une importante réduction des effectifs qui risquait de réduire sensiblement sa capacité bilingue dans les provinces de l'Atlantique, au Québec, en Ontario et au Manitoba, le Ministère a mis en service des lignes téléphoniques Zénith qui assurent aux minorités de langue officielle un meilleur accès à des services bilingues. Cette initiative a manifestement contribué à améliorer l'accueil téléphonique bilingue. La Direction des marques de commerce, pour sa part, a entrepris un sondage auprès de ses clients sur la qualité linguistique de ses services.

Le Ministère a recruté des agents francophones dans des universités québécoises afin de doter ses bureaux des faillites de Toronto et de Dartmouth d'une capacité bilingue suffisante, corrigeant ainsi une lacune soulignée lors de notre vérification de 1981. Par contre, sa capacité bilingue laisse encore à désirer dans les bureaux de district de Toronto et du sud de l'Ontario, ainsi que dans la région de l'Atlantique où 28 p. 100 des inspecteurs titulaires de postes désignés bilingues ne satisfont pas aux exigences.

Malgré le travail de sensibilisation de la Division des langues officielles, qui rappelle régulièrement aux employés et aux surveillants leurs droits et obligations en matière de langue de travail, l'usage du français n'a guère progressé. Les causes en sont diverses et varient d'une direction à l'autre : elles vont de la nature même du travail à l'unilinguisme de certains surveillants en passant par l'habitude, enracinée chez la grande majorité des employés même francophones, de travailler en anglais. Pour sa part, le comité de gestion du Ministère fonctionne exclusivement dans cette langue : un seul de ses membres est francophone alors que les autres sont unilingues.

Malgré leur participation globale élevée (37 p. 100), les francophones sont légèrement sous-représentés dans la catégorie Gestion où ils n'occupent que 16 des 74 postes (21,6 p. 100). Dans celle des Scientifiques et spécialistes, ils occupent 52 des 236 postes, soit 22 p. 100 (2 p. 100 de plus qu'en 1985 et 8 p. 100 de plus qu'en 1981) ; le Ministère se rapproche donc de son objectif de 25 p. 100 pour cette catégorie. Il pourrait d'ailleurs l'atteindre bientôt grâce à la dizaine de stagiaires francophones, des étudiants en génie, qu'il a accueillis

cette année et qui se préparent à prendre la relève de quelques agents de brevets qui prendront bientôt leur retraite. Quant aux anglophones, ils sont sous-représentés dans la catégorie Soutien administratif où ils n'occupent que la moitié des 827 postes. Au Québec, leur participation est passée de 4,7 p. 100 en 1985 à 5,7 p. 100 cette année (15 sur 261). Jusqu'ici, les efforts déployés par le Ministère pour recruter des techniciens anglophones dans les collèges de langue anglaise du Québec n'ont pas porté fruit.

Les gestionnaires sont tenus de se fixer des objectifs en matière de langues officielles, mais ceux-ci ne sont pas automatiquement intégrés à leurs plans opérationnels ; en outre, lors de l'évaluation annuelle de leur rendement, on ne leur demande pas de comptes précis à ce sujet. La Division des langues officielles, pour sa part, revoit tous les objectifs avant qu'ils ne soient approuvés, fournit chaque trimestre aux gestionnaires des indices de rendement individualisés et effectue quelques contrôles. L'équipe de vérification interne du Ministère, pour sa part, n'a pas encore intégré l'aspect linguistique à ses activités de surveillance.

Nous avons reçu 4 plaintes contre Consommation et Corporations cette année, comparativement à 11 en 1985. La première concernait une réponse faite en anglais à un correspondant francophone du Nouveau-Brunswick ; les deux autres soulignaient l'absence de service téléphonique en français en Ontario et en anglais à Montréal, et la dernière avait trait à l'envoi de la version anglaise d'un communiqué à un journal de langue française au Nouveau-Brunswick. Ces erreurs de parcours ont été rectifiées avec célérité, comme d'habitude.

Contrôleur général*

La situation linguistique au Bureau du Contrôleur général du Canada — un organisme de contrôle important dans le domaine de la gestion — n'a guère évolué depuis 1985. La vérification que nous y avons effectuée cette année indique qu'il dispose toujours d'une bonne capacité bilingue, mais qu'il n'offre pas activement ses services dans les deux langues à ses organismes clients. Le français reste peu employé en milieu de travail en raison de la très faible représentation des francophones parmi les membres de la catégorie Gestion, lesquels constituent près de la moitié des effectifs. Si la planification en matière de langues officielles a été intégrée au plan des ressources humaines, bien peu de gestes concrets ont été posés en ce domaine.

Comme nous l'avons dit, le Bureau dispose des ressources nécessaires pour servir sa clientèle dans les deux langues : près de 80 p. 100 de ses 139 postes sont bilingues et presque tous les titulaires (95 p. 100) satisfont aux exigences prescrites. Mais malheureusement, les services bilingues ne sont pas toujours offerts spontanément. Ainsi, la plupart des groupes de travail relevant du Bureau et réunissant des fonctionnaires des autres ministères travaillent en anglais seulement, même si leurs membres appartiennent aux deux groupes linguistiques. Et si on assure l'interprétation simultanée lors des ateliers et des colloques parrainés par le Bureau, la grande majorité des présentations sont faites en anglais. En dépit

de nos recommandations, le Bureau n'exige un niveau de connaissance supérieur de la langue seconde que pour 7 de ses 109 postes bilingues, une proportion bien inférieure à celle qu'on retrouve dans les autres organismes centraux. La Direction de l'évaluation des programmes mérite cependant nos félicitations : les cours offerts dans son domaine de compétence le sont de plus en plus en français.

Les objectifs du Bureau quant à l'usage du français au sein de l'organisme sont des plus ambitieux, mais la situation sur le terrain demeure déplorable, comme en témoigne le sondage que nous avons mené auprès des employés : 97 p. 100 des répondants francophones ont indiqué qu'ils rédigeaient leurs travaux en anglais la plupart du temps. En outre, moins de 5 p. 100 d'entre eux ont mentionné que les deux langues étaient utilisées à parts égales lors des réunions auxquelles ils prenaient part. Quelques bons points sont tout de même à signaler : par exemple, un groupe de travail composé principalement d'anglophones bilingues fonctionne en français, tandis que les documents de travail et les notes de service sont diffusés dans les deux langues. Le Bureau devra toutefois redoubler d'efforts s'il entend jouer le rôle moteur qui lui incombe, en tant qu'organisme central, dans la promotion du français dans les domaines de l'évaluation des programmes, de la vérification interne et de la gestion en général.

La première tâche du Bureau sera d'augmenter sensiblement la proportion de francophones dans la catégorie Gestion, où l'on n'en compte que 7 sur 65 employés, soit 10,8 p. 100. Qui plus est, la situation n'a fait que s'aggraver au fil des ans : les francophones représentaient 22 p. 100 des effectifs de cette catégorie en 1983. Or des sept personnes nommées à la Gestion au cours des 10 premiers mois de 1986, aucune n'était francophone. Manifestement, des mesures urgentes s'imposent en ce domaine. Au total, les francophones comptent pour le quart des effectifs, en raison de leur forte représentation dans la catégorie Soutien administratif (52 p. 100).

Le Bureau a intégré ses objectifs en matière de langues officielles à son plan des ressources humaines. Par contre, peu de gestionnaires étaient véritablement au courant des objectifs visés en ce domaine, et aucune mesure n'a été mise en place pour contrôler la mise en œuvre du programme.

Nous n'avons reçu aucune plainte contre le Bureau en 1986.

Cour suprême

La situation linguistique de la Cour suprême du Canada aura connu peu de changements importants en 1986. Elle offre toujours ses services au public dans les deux langues officielles. Toutefois, bien que l'on ait enfin adopté une politique en matière de langues officielles certaines lacunes persistent : la place du français comme langue de travail n'est pas satisfaisante et ce, en dépit d'une très forte proportion de francophones ; et la gestion du programme des langues officielles manque de vigueur.

La Cour suprême est bien pourvue en effectifs bilingues : sur un total de 67 postes, 50 exigent la connaissance des deux langues, et 46 sont occupés par des titulaires

qualifiés. Les communications orales, tout comme la correspondance, s'effectuent sans problème dans la langue des correspondants ; la Cour a par ailleurs veillé à ce que son nouveau service de conférence-vidéo, mis sur pied en 1985, soit doté d'un système adéquat d'interprétation simultanée. Les jugements de la Cour et les motifs afférents sont publiés simultanément en français et en anglais.

Le français demeure sous-utilisé en milieu de travail. Ainsi, bien qu'une majorité des employés soient francophones, les réunions se déroulent principalement en anglais, ce qui s'explique sans doute par la présence d'anglophones unilingues. La direction devrait encourager ces derniers à acquérir une compétence à tout le moins passive de leur langue seconde, et inciter davantage les francophones à utiliser leur langue. En ce qui a trait à l'encadrement, 3 des 16 surveillants sont toujours unilingues. Par contre, les instruments de travail sont disponibles dans les deux langues, et les employés ont accès aux services centraux et du personnel dans leur langue officielle d'élection.

Le personnel de la Cour suprême comprend 39 francophones et 28 anglophones. La proportion d'employés anglophones a encore baissé depuis l'an dernier : alors qu'ils étaient au nombre de 26 sur un total de 61 employés, soit 42,6 p. 100, ils ne constituent aujourd'hui que 41,8 p. 100 des 67 employés. Ce déséquilibre se retrouve dans presque toutes les catégories d'emploi, et la Cour ne s'est encore dotée d'aucun plan d'action en vue de le corriger.

En ce qui a trait à la gestion du programme des langues officielles, peu de choses ont été réalisées au cours de la dernière année, si ce n'est qu'on a diffusé la politique en cette matière. La Cour devra définir plus clairement ses objectifs, préciser les responsabilités des gestionnaires et mettre sur pied les mécanismes de contrôle appropriés.

La Cour suprême a fait l'objet d'une plainte en 1986, qui fut résolue rapidement.

Défense nationale*

Au ministère de la Défense nationale, le français est demeuré le parent pauvre en 1986. Une montagne de documents techniques unilingues anglais et une pléthore de titulaires anglophones de postes militaires bilingues qui n'ont pas la compétence linguistique voulue constituent une sérieuse entrave à la mise en œuvre de la politique des langues officielles du Ministère. Cependant, une initiative vaut d'être soulignée : la création d'un programme destiné à former un corps d'officiers bilingues qui permettra peut-être au Ministère de gagner ses galons linguistiques. Mais la bataille est loin d'être gagnée.

L'an prochain, le Ministère compte présenter un nouveau plan des langues officielles à long terme. Espérons qu'il saisira cette occasion pour prendre un nouveau départ, en commençant par l'intégration de ce plan au processus décisionnel. Le Ministère ne s'est toujours pas doté de mesures assurant la responsabilité des gestionnaires en matière de rendement linguistique, et cette lacune ne manque pas d'influer sur l'efficacité de sa réforme en ce domaine.

Le Ministère compte 87 000 postes militaires et 33 000 postes civils. Chez les militaires, 12 500 postes ont été désignés bilingues afin de satisfaire aux exigences en matière de service et d'encadrement. Cependant, seulement 37 p. 100 des titulaires sont linguistiquement qualifiés par rapport à 85,8 p. 100 chez les civils. Bien que la majorité des francophones dans les Forces armées soient bilingues, les cours de français offerts aux anglophones ont été inefficaces, de sorte que moins de 5 p. 100 de l'effectif anglophone maîtrise la langue seconde. En 1986, le Ministère a lancé un programme de formation linguistique qui prévoit la bilinguisation progressive du personnel officier et non officier, de certaines classifications et de certains métiers qui exigent un contact avec le public, notamment la police militaire. En outre, le Ministère a entrepris de modifier les cours de langue afin de mieux les adapter aux exigences du secteur militaire et de contraindre ceux et celles qui ont reçu une formation linguistique de maintenir la compétence acquise.

Comme nous le soulignions lors de la vérification que nous avons effectuée aux collèges militaires de Kingston (Ontario) et de Saint-Jean (Québec), tous les officiers devraient avoir une connaissance suffisante de la langue seconde. Malheureusement, le niveau de compétence linguistique que les collèges exigeront de leurs diplômés ne permettra pas aux officiers de communiquer avec le personnel subalterne de l'autre langue officielle. Dans l'ensemble, la situation linguistique est meilleure à Saint-Jean qu'à Kingston. Une pratique novatrice de ces deux collèges vaut d'être signalée : elle consiste à alterner, chaque quinzaine, l'emploi des langues officielles. Des mesures devraient néanmoins être prises afin d'assurer que le service au public et au personnel ne souffre pas de cette pratique. Les deux collèges ont également en commun certaines carences linguistiques (dont nombre de manuels et de cours offerts dans une seule langue) qui ne font guère honneur à leur statut d'institutions bilingues.

Dans le cadre de la vérification de 1986 portant sur les activités du Ministère dans la région de la Capitale nationale, nous avons visité le Centre médical de la Défense nationale. Ce dernier assure des services médicaux aux Forces armées et aux hauts fonctionnaires. Nous avons alors constaté que le Centre néglige sérieusement les droits linguistiques de ses patients et de ses employés francophones. On n'y fait aucun effort pour offrir aux patients des services dans les deux langues officielles. On néglige aussi d'inscrire leur préférence linguistique dans les dossiers médicaux. Sans de tels mécanismes de contrôle, il est impossible de s'assurer que le traitement soit dispensé dans la langue souhaitée, malgré que certains employés du Centre soient bilingues. La langue de travail au Centre est l'anglais. Les employés ont reçu des consignes précises leur ordonnant de remplir les rapports médicaux en anglais seulement et cette règle s'étend à toutes les activités de l'hôpital. Il importe donc que le Ministère et le Centre prennent sans tarder des mesures afin d'établir des conditions de travail qui favorisent l'utilisation des deux langues officielles et qui permettent de s'assurer que l'on offre aux patients des services dans leur langue d'élection.

Les obstacles à l'usage du français au sein du Ministère sont sérieux. Comme nous l'avons souligné en 1983, il est difficile, voire même impossible, pour les francophones d'obtenir une formation militaire spécialisée dans leur langue. Le programme Francotrain, lancé pour remédier à la situation, est entravé depuis le début par l'unilinguisme de la documentation et la rareté des enseignants bilingues. Les mesures proposées l'an dernier pour accroître l'efficacité du programme en comblant ces lacunes devraient être adoptées sans tarder. Cependant, des problèmes d'une telle envergure exigent un engagement renouvelé et profond envers la réforme du régime linguistique.

Comme nous l'avons souligné lors d'un récent rapport spécial au Gouverneur en conseil, on a peine à croire, en effet, que 17 ans après l'adoption de la *Loi sur les langues officielles* quelque 95 p. 100 de tous les documents de travail techniques du Ministère n'existent qu'en anglais. Le programme de 10 ans mis en œuvre pour réduire l'arriéré des travaux de traduction a été sérieusement touché par la décision du Conseil du Trésor de ramener de 32 à moins de 22 millions le nombre de mots que le Ministère sera autorisé à traduire en 1986-1987. Le Ministère a demandé au Conseil de revoir sa décision. D'autre part, la traduction prend des allures de rocher de Sisyphe, les manuels accompagnant le nouveau matériel étant unilingues anglais, et ce malgré une directive ministérielle exigeant qu'ils soient bilingues. C'est ainsi que nous avons appris l'année dernière que les avions à réaction Challenger livrés par Canadair de Montréal étaient accompagnés de documentation technique en anglais seulement. Les manuels bilingues ne seront disponibles qu'en 1987-1988. Les francophones auront donc eu largement le temps d'être formés en anglais et de prendre l'habitude de la terminologie anglaise. On ne saurait accepter non plus que le Ministère et ses fournisseurs invoquent l'argument habituel voulant que l'anglais soit la langue de la science et de la technologie pour se soustraire à leurs obligations linguistiques envers le personnel francophone. Le Ministère se doit d'éliminer les obstacles à la réforme, et non d'en assurer le maintien.

L'an prochain marque l'échéance que s'était fixée le Ministère pour atteindre à une participation globale de 27 p. 100 des militaires francophones de même que parmi les divers grades et les commandements. Bien que le Ministère ait réalisé son objectif général depuis quelque temps déjà, les francophones demeurent sous-représentés chez les officiers supérieurs où ils ne comptent que pour 16 p. 100 de l'effectif. Cependant, il convient de noter que la situation s'améliore lentement, plus de francophones montant en grade. Par exemple, depuis 1980 le pourcentage d'officiers supérieurs d'expression française est passé de 13,8 à 16,0 p. 100 ; chez les officiers subalternes, il est passé de 19,5 à 24,7 p. 100. Le Ministère se doit d'agir pour redresser les déséquilibres dans les commandements militaires de l'Armée, de l'Aviation et de la Marine où les francophones ne comptent respectivement que pour 34,6, 25,1 et 17,8 p. 100.

Chez les civils, la participation francophone demeure inchangée à 20 p. 100. La situation est particulièrement déplorable dans la catégorie Gestion où seulement

18 des 138 cadres supérieurs sont francophones (13 p. 100). Le Ministère devrait également se préoccuper de la participation anglophone au Québec qui est passée de 10,3 à 9,9 p. 100. Une seule éclaircie au tableau : les francophones représentent 28,4 p. 100 des employés de la catégorie Scientifiques et spécialistes.

Le Ministère a fait l'objet de 94 plaintes et de 39 enquêtes en 1986. Plus des trois quarts des dossiers mettaient en cause la langue de travail et, dans 78 des cas, il était question de la désignation linguistique des postes civils unilingues anglais au quartier général de la Défense. Notre étude a révélé que, dans la majorité des cas, la désignation était justifiée. Néanmoins, ces plaintes semblaient confirmer que l'anglais prédomine comme langue de travail à l'administration centrale. Dans ses réponses, le Ministère s'employait surtout à nous expliquer les raisons pour lesquelles le titulaire d'un poste donné devait être en mesure de travailler en anglais, alors qu'il s'agissait de déterminer si la nature du poste exigeait du titulaire qu'il accomplisse également ses fonctions en français ou lui permettait de le faire. Étant donné la situation, nous avons entrepris une étude spéciale de la politique et des méthodes du Ministère pour la désignation linguistique des postes. Nous ferons part des résultats dans le prochain rapport annuel.

Autre sujet fréquent de doléances : la diffusion de notes de service et de communications diverses en anglais seulement. Par le passé, le Ministère a adopté un certain nombre de mesures pour remédier à la situation. Cependant, le nombre de plaintes déposées chaque année à cet égard indique que les cadres doivent redoubler de vigilance s'ils espèrent venir à bout du problème.

La langue de service a fait l'objet de 38 plaintes touchant notamment l'unilinguisme anglais des réceptionnistes et des commissionnaires, et les bévues linguistiques lors des cérémonies d'ouverture de la campagne Centraide sur la colline parlementaire.

Emploi et Immigration

Dans l'ensemble, la Commission de l'emploi et de l'immigration du Canada est demeurée dans le peloton de tête des organismes fédéraux en ce qui a trait aux questions linguistiques. Elle a cependant éprouvé quelques ratés sur le plan du service au public dans les régions, en raison de la négligence de certains gestionnaires locaux à appliquer l'excellente politique de la Commission en ce domaine. Par ailleurs, celle-ci a pris des mesures pour donner suite aux recommandations de notre vérification de 1985 concernant la langue de travail à l'administration centrale. La participation des deux groupes linguistiques est généralement bien équilibrée, sauf pour les anglophones au Québec qui demeurent nettement sous-représentés. La gestion du programme des langues officielles peut être qualifiée d'excellente.

La proportion des postes bilingues est passée de 23 p. 100 en 1985 à 24 p. 100 en 1986 (5 902 postes sur 24 565), et 88,4 p. 100 des titulaires satisfont aux exigences, comparativement à 87 p. 100 l'an dernier. Il y a une bonne capacité

bilingue dans toutes les régions, à l'exception de l'Île-du-Prince-Édouard et des régions sud et ouest de l'Ontario, où l'on ne compte respectivement que 9 postes bilingues sur 201 et 233 sur 5 966. Nous avons d'ailleurs reçu un grand nombre de plaintes provenant de l'Ontario cette année, et leur règlement s'avère laborieux dans plusieurs cas. En outre, nous suivons de très près le dossier des programmes de formation de la main-d'œuvre dans cette région : lorsque ceux-ci sont confiés à des entreprises ou à des associations, il s'agira de voir quelles mesures seront prises pour assurer qu'ils soient toujours dispensés dans les deux langues. La Commission devra se montrer très ferme à cet égard. Elle devra aussi s'assurer de la disponibilité de services spécialisés dans les deux langues, en particulier dans les provinces de l'Ouest. Nous continuons de recevoir chaque année des plaintes d'associations francophones avec lesquelles la Commission communique en anglais lorsqu'elles présentent des projets de création d'emplois. Par ailleurs, les services en français laissent à désirer dans les régions d'Halifax et de Sydney, et se sont détériorés à Saint-Jean (T.-N.).

Dans le cadre de la vaste enquête qu'elle a entreprise pour déterminer le degré de satisfaction de ses clients à l'égard de ses services, la Commission a inclus des questions visant à mesurer leur satisfaction sur le plan linguistique. Elle continue d'entretenir des contacts suivis avec les minorités de langue officielle, avec lesquelles elle a tenu une soixantaine de réunions au cours des neuf premiers mois de l'année. Par ailleurs, ayant regroupé ses services en français dans un même centre à Toronto, elle a eu la bonne idée de faire connaître cette initiative grâce à une bande vidéo, réalisée en collaboration avec les associations francophones locales et le Secrétariat du Conseil du Trésor.

La Commission s'est attaquée au problème de la langue de travail à l'administration centrale. Comme nous l'avions recommandé à la suite de notre vérification, la haute direction a exigé des gestionnaires principaux qu'ils se fixent des objectifs précis à cet égard dans leurs plans opérationnels. Elle s'est aussi engagée à accroître la proportion de postes bilingues exigeant un niveau de connaissance supérieur de la langue seconde — qui se situait à 3 p. 100 — et a mis au point un programme de formation linguistique axé sur la carrière à l'intention des membres de la catégorie Gestion. D'autre part, on a rappelé à l'ordre les services centraux et du personnel qui présentaient des lacunes sur le plan linguistique. La région de l'Ontario, qui compte une proportion importante d'employés francophones dans l'est et dans le nord, s'est engagée quant à elle à réaffirmer clairement le droit de ces derniers à travailler dans leur langue, et à leur fournir pour ce faire les outils nécessaires.

La participation globale des deux groupes linguistiques s'est maintenue à peu près au même niveau que l'an dernier, soit 34 p. 100 de francophones et 66 p. 100 d'anglophones, et les deux groupes sont assez bien représentés dans chaque catégorie d'emploi ; par exemple, les francophones forment 30,6 p. 100 des cadres supérieurs. La Commission devra cependant s'efforcer de rééquilibrer la participation dans le Soutien administratif, où les francophones représentent une

proportion excessive de 36 p. 100 des effectifs. Alors que ces derniers continuent d'être bien représentés dans les provinces à majorité anglophone, la proportion des anglophones au Québec, à 2,4 p. 100 (143 employés sur 6083), reste inacceptable, et cela depuis près de cinq ans. La Commission fait peu de recrutement externe à l'heure actuelle en raison des restrictions sur le plan des effectifs ; elle doit donc profiter de chaque occasion — recrutement de postes déterminés, emplois d'été, recrutement régulier — pour assurer, dans le respect du principe du mérite, une meilleure participation des anglophones.

Par ailleurs, la Commission n'a cessé d'améliorer son excellent système de gestion des langues officielles. Les objectifs en ce domaine, qui avaient été ajoutés aux contrats de gestion liant le sous-ministre et les cadres supérieurs, font maintenant partie intégrante de ces contrats ; les lignes directrices émises par le Président pour la préparation des contrats font d'ailleurs mention des obligations linguistiques. On a adopté cette démarche tant à l'administration centrale que dans les régions, et les gestionnaires doivent rendre compte de leurs réalisations en cette matière lors de l'évaluation de leur rendement. Enfin, les vérifications opérationnelles font maintenant une plus large place à la question des langues officielles.

La Commission a fait l'objet cette année de 137 plaintes dont la plupart mettaient en cause le service au public dans les centres d'emplois, les bureaux de création d'emplois et les centres d'embauche d'étudiants. Un certain nombre de problèmes se retrouvent à la grandeur du pays : formulaires mal traduits ou disponibles dans une seule langue ; non-respect des préférences linguistiques des clients ; incohérences dans la mise en œuvre de la politique touchant l'accès à la formation linguistique destinée aux sans-emploi.

Grâce à l'étroite collaboration de nos représentants régionaux respectifs, la plupart des plaintes ont été rapidement réglées. En Ontario, toutefois, une douzaine de dossiers qu'on s'était engagé à traiter sans délai sont toujours en suspens.

Énergie, Mines et Ressources

Les progrès sont timides au ministère de l'Énergie, des Mines et des Ressources. Fort heureusement, les acquis des années antérieures n'ont pas souffert des compressions budgétaires importantes qui ont surtout touché le secteur de l'énergie. Le Ministère est cependant loin d'être au bout de ses peines, et un sérieux coup de barre s'impose, principalement en matière de langue de travail et de représentation équilibrée.

C'est dans ce but que le Ministre a amorcé des discussions qui permettront de relancer le programme des langues officielles au sein du Ministère. A son instigation, il a constitué un comité consultatif chargé d'assurer une participation équitable des francophones au sein de l'effectif, et plus particulièrement dans la catégorie Gestion. Par ailleurs, le Ministère a eu à rendre compte de sa gestion du programme des langues officielles devant le Comité mixte du Sénat et de la

Chambre des communes, qui l'a assigné comme premier témoin de la session d'automne. Il aura à comparaître de nouveau dans six mois.

Le Ministère éprouve encore des difficultés à respecter ses obligations linguistiques envers le public. Un sondage qu'il a réalisé l'année dernière a révélé que ses services n'étaient pas toujours offerts activement, ni même assurés, dans les deux langues officielles. En moyenne, 20 p. 100 de la clientèle s'est déclarée insatisfaite à cet égard. Par ailleurs, sur 711 publications scientifiques et techniques parues en 1984-1985, seulement 207 étaient bilingues, soit 29 p. 100.

Si le Ministère compte un nombre respectable de postes bilingues (2 010 sur 4 934, soit 40,7 p. 100), la proportion de titulaires qualifiés (80,2 p. 100) n'est guère satisfaisante, et progresse à notre avis beaucoup trop lentement au fil des années. On devra se montrer plus vigilant en cette matière.

D'autre part, à moins que le Ministère n'adopte des mesures fermes à cet effet, le français continuera d'occuper une place insuffisante en tant que langue de travail, sauf au Québec. En effet, le pourcentage d'unilingues occupant des postes de surveillance bilingues s'élève à 26 p. 100. Cette situation ne facilite en rien la promotion du français au travail, particulièrement dans les milieux scientifiques où la prédominance de l'anglais est une tradition bien établie. On notera cependant que la haute direction n'éprouve aucun problème à communiquer en français avec l'actuel ministre francophone.

Si les francophones constituent 35 p. 100 des 1 209 employés de la catégorie Soutien administratif, leur participation est bien équilibrée dans l'ensemble du Ministère, où ils occupent 24,4 p. 100 des 4 934 postes. Cela s'explique par une sous-représentation marquée au sommet de la pyramide de l'organisation : leur participation s'établit à 10,9 p. 100 dans la Gestion, 11,5 p. 100 à la haute direction et 10,1 p. 100 à la gestion supérieure. De même, chez les Scientifiques et spécialistes, la représentation francophone atteint seulement 15,4 p. 100. On devra s'efforcer de corriger ces déséquilibres au sein des catégories d'emploi et aux divers échelons de la hiérarchie.

L'intégration des plans en matière de langues officielles à la planification opérationnelle vient tout juste de s'achever ; aussi est-il trop tôt pour juger des effets de cette mesure. Il est certain toutefois que les contrôles linguistiques, telles les vérifications, doivent être maintenus et même renforcés si le Ministère veut être à même d'évaluer le rendement de ses gestionnaires.

Le Ministère a fait l'objet cette année de 8 plaintes, comparativement à 14 l'année dernière. Six d'entre elles avaient trait au service au public, notamment à des publications non disponibles dans les deux langues et à l'unilinguisme de certains préposés lors d'une exposition ; les deux autres portaient sur la langue de travail. Le Ministère s'est montré coopératif et diligent dans le traitement de ces plaintes.

Environnement

En 1986, le rendement linguistique du ministère de l'Environnement est demeuré stationnaire. Ce Ministère se classe parmi ceux qui offrent aux Canadiens de bons services bilingues, mais la situation du français au travail et la participation francophone continuent de présenter des lacunes importantes.

Les efforts consentis par le Service des parcs pour servir les voyageurs dans leur langue officielle d'élection se sont avérés fructueux, encore que certains parcs, notamment ceux de Banff et de Elk Island, aient connu des difficultés du côté de l'accueil des visiteurs aux entrées principales. Par ailleurs, il devient impératif que les parcs corrigent une fois pour toutes les anomalies sur le plan de l'affichage. On conçoit difficilement, par exemple, que la nouvelle politique en vertu de laquelle les formes française et anglaise des noms géographiques doivent être indiquées sur tous les panneaux de signalisation ne soit toujours pas en vigueur, plus d'un an après sa rédaction. De même, il est inadmissible que le Service des parcs déroge à la règle d'égalité des deux langues officielles en permettant, sous prétexte qu'ils sont situés sur des routes provinciales, la mise en place de panneaux routiers unilingues.

Maintenant que le Service de l'environnement atmosphérique dispense en français et en anglais, dans les grands centres, ses services de prévisions et de renseignements météorologiques, il lui reste à réviser à la hausse les exigences linguistiques des postes de techniciens en météorologie et à s'assurer que ces derniers sont en nombre suffisant dans les régions où la demande de services bilingues est importante.

Le Ministère emploie 10 027 personnes. Plus de 86 p. 100 des titulaires des 2 390 postes bilingues sont qualifiés sur le plan linguistique, taux inchangé par rapport à l'année dernière.

On ne note aucun changement au chapitre de la langue de travail et de la participation. Le français n'occupe pas la place qui lui revient, même dans la région de la Capitale nationale où les employés francophones forment pourtant 35 p. 100 de l'effectif. Cette situation s'explique en partie par la proportion élevée de surveillants titulaires de postes bilingues qui ne possèdent pas une connaissance intermédiaire de leur langue seconde (21 p. 100).

La participation globale des francophones est restée inchangée et s'établit à 20,1 p. 100. Ceux-ci sont nettement sous-représentés aux échelons supérieurs de la hiérarchie (13,8 p. 100) de même que dans les catégories Gestion (15,8 p. 100), Scientifiques et spécialistes (19,1 p. 100), Technique (17,4 p. 100), et Exploitation (13,1 p. 100). A 7,2 p. 100, la participation anglophone au Québec reste trop faible.

Le Ministère a fait l'objet de 48 plaintes cette année, comparativement à 40 l'an passé. Quarante-cinq d'entre elles touchaient divers aspects du service au public ; dans plusieurs cas, on se plaignait du service unilingue aux entrées de parcs

nationaux, de l'affichage unilingue le long des routes provinciales ou de déficiences dans l'utilisation de la presse des deux langues officielles. Le Ministère s'est attiré de nombreuses critiques de la part de la communauté francophone pour avoir inscrit « rivière French » sur une plaque bilingue commémorant l'intégration de la rivière des Français au réseau des cours d'eau du Patrimoine. Le Service des parcs a promis de réparer cet impair dès l'an prochain. Les trois autres plaintes avaient trait à la langue de travail, notamment aux communications internes en anglais seulement. La collaboration du Ministère dans le règlement des plaintes a été généralement bonne.

Expansion industrielle régionale

Alors que le ministère de l'Expansion industrielle régionale est soumis à une réévaluation de son mandat, son programme des langues officielles, généralement bon, n'a guère évolué en 1986.

L'affichage et la documentation sont bilingues, on a recours régulièrement aux médias de langue minoritaire, et le Ministère correspond systématiquement avec ses clients dans leur langue. Cependant, en dehors des bureaux de Montréal, de Moncton et de Fredericton, il n'offre toujours pas activement ses services dans les deux langues, pas plus qu'il ne vérifie la satisfaction de sa clientèle sur le plan linguistique. En outre, les spécialistes anglophones de l'administration centrale, à cause de leur bilinguisme insuffisant, sont souvent incapables de communiquer directement avec les clients francophones.

Le Ministère fournit à son personnel des instruments de travail bilingues. Il lui offre également des cours de formation dans les deux langues, tout en regrettant que l'insuffisance de la demande occasionne souvent l'annulation des cours en français. Même si la nomination de deux ministres francophones a eu pour effet de stimuler l'usage du français au sein du Ministère, l'unilinguisme de plusieurs fonctionnaires constitue un obstacle au chapitre des réunions, de l'encadrement, de l'évaluation du rendement et de la prestation des services centraux et du personnel.

Le programme des langues officielles souffre d'un manque d'engagement de la part des gestionnaires intermédiaires, qui n'ont guère de comptes à rendre en ce domaine. Bien qu'on ait partiellement intégré des objectifs en matière de langues officielles aux plans opérationnels de gestion, notamment en ce qui a trait aux ressources humaines, le processus manque d'uniformité, et les mesures de contrôle font défaut.

Par contre, malgré l'imprécision des orientations ministérielles, les responsables du programme des langues officielles ont procédé à une étude de la capacité bilingue du Ministère en vue d'instaurer un contrôle plus rigoureux des exigences linguistiques des postes. Ils ont également entrepris une étude très poussée des petits systèmes informatisés et des logiciels qui s'y rapportent ; s'il reste certains problèmes à résoudre (unilinguisme des imprimés d'ordinateurs et des guides

d'utilisation des systèmes) les retombées de cette étude s'annoncent prometteuses, certaines entreprises ayant manifesté leur intérêt pour la commercialisation des logiciels qui seraient traduits en français.

La participation des deux groupes linguistiques au sein du Ministère demeure bien équilibrée, particulièrement en Ontario, dans la région de la Capitale nationale et dans celle de l'Atlantique. Cependant, il reste une concentration importante de francophones dans la catégorie du Soutien administratif, qui regroupe 529 des 899 francophones du Ministère, soit 59 p. 100 (comparativement à 41 p. 100 pour les anglophones).

Le Ministère a été la cible de sept plaintes au cours de l'année (comparativement à cinq en 1985), mais aucune n'a exigé une enquête approfondie. La plupart avaient trait aux imprimés ou aux communications. Le Ministère a maintenu son excellente collaboration, intervenant directement auprès des gestionnaires en cause pour régler les problèmes.

Gendarmerie royale du Canada

Si la Gendarmerie royale du Canada (GRC) a à son actif quelques initiatives louables en 1986, certaines des mesures prises cette année risquent de faire reculer l'objectif de l'égalité linguistique. En effet, la GRC s'est principalement employée à poursuivre la révision de ses lignes de conduite en matière de langues officielles, amorcée en 1985. Or comme nous le disions l'an dernier, ces nouvelles mesures viendront freiner encore davantage les progrès déjà lents, et pourtant essentiels, notamment sur le plan de la langue de travail et de la participation. Appelée par le Comité mixte des langues officielles à expliquer ses retards à appliquer la Loi, la GRC n'a pas su lui fournir des explications satisfaisantes, et elle devra comparaître de nouveau au début de 1987.

Trois dispositions en particulier (qui n'ont pas encore été approuvées par le Conseil du Trésor) ont retenu notre attention : la première vise à abaisser de 20,8 p. 100 à environ 12 à 15 p. 100 l'objectif de la participation francophone parmi les membres réguliers ; la seconde aurait pour effet d'éliminer presque totalement l'exigence du niveau de connaissance supérieur de la langue seconde ; et la troisième imposerait la formation linguistique à toutes les recrues. Cette dernière disposition n'est pas mauvaise en soi, quoiqu'à notre avis il ne conviendrait pas d'imposer cette formation à une recrue qui n'aurait pas les aptitudes nécessaires pour apprendre une langue seconde ; par contre, nous restons fermement opposés aux deux premières. S'il est vrai qu'une partie importante des effectifs de la GRC est concentrée dans l'Ouest, et que les provinces où celle-ci fait également office de police provinciale et municipale paient une partie du coût de ces services, cela ne justifie pas qu'on abaisse davantage l'objectif de participation francophone chez les membres réguliers ; cet objectif a déjà été fixé à 20,8 p. 100, au lieu du taux habituel d'environ 27 p. 100, justement pour tenir compte de ces particularités. Une telle mesure contreviendrait au principe même de la Loi et de la *Charte canadienne des droits et libertés*, non seulement en matière de

participation équitable, mais aussi en ce qui a trait à la langue de travail et au service au public. Avec une proportion de francophones se situant entre 12 et 15 p. 100 parmi ses quelque 12 800 membres réguliers (ce qui pourrait vouloir dire, par rapport à l'objectif de 20,8 p. 100, quelque 1 000 francophones de moins), la GRC ne serait plus, comme le souhaitait le législateur, vraiment représentative des deux groupes linguistiques. En outre, on voit mal comment le français, déjà peu utilisé, pourrait gagner du terrain. D'autre part, même si le bilinguisme se répand de plus en plus chez les anglophones, il n'en demeure pas moins que ce sont les francophones qui contribuent le plus à la capacité bilingue de la GRC, puisqu'ils forment les deux tiers des employés bilingues. Étant donné que le personnel est mobile, tant sur le plan géographique que sur celui des fonctions (police fédérale, provinciale ou municipale), il faut plus que le strict minimum de personnel bilingue (et notamment de francophones) pour répondre aux besoins découlant justement de cette mobilité. C'est pourquoi nous avons demandé à la GRC de maintenir son objectif actuel de participation, tout en l'incitant à éviter des écarts inacceptables lors du recrutement ; en 1983-1984, près de 65 p. 100 des 84 recrues étaient francophones, ce qui devait susciter une vive réaction, somme toute légitime, particulièrement dans l'ouest du pays.

La décision (déjà en vigueur) d'éliminer à toutes fins utiles le niveau C de compétence linguistique dans l'ensemble de la GRC est également inacceptable. On comprend mal pourquoi l'organisme, qui éprouve déjà de nombreuses difficultés — notamment sur le plan de la langue de travail à l'administration centrale — voudrait abaisser davantage des exigences déjà peu élevées. Les postes exigeant le niveau C ne représentent en effet que 7 p. 100 des postes de l'administration centrale.

Le service au public est généralement bon dans les régions bilingues du Nouveau-Brunswick, du Québec et du nord-est de l'Ontario, où les bilingues représentent près de 50 p. 100 de l'effectif. Par contre, la situation est beaucoup moins heureuse dans les autres régions. Ainsi, à l'ouest du Manitoba, on compte moins de 200 agents bilingues sur près de 7 500 membres. Globalement, la proportion de postes bilingues parmi les membres s'établit à 19 p. 100 (2 980 postes sur 15 869), mais près du tiers de leurs titulaires ne satisfont pas aux exigences prescrites. Par ailleurs, un problème important persiste dans plusieurs régions : le service n'est pas offert activement dans les deux langues, notamment en ce qui a trait aux patrouilles routières et à l'accueil téléphonique dans les détachements, comme il ressort des plaintes reçues et des vérifications linguistiques internes de la GRC. Compte tenu du caractère coercitif de certaines de ses fonctions, c'est là un problème sérieux, et on comprend mal pourquoi la GRC a abandonné son initiative de remettre aux agents unilingues chargés de la patrouille routière une carte indiquant aux membres du public qu'ils peuvent recevoir le service dans leur langue. D'autre part, la GRC a manqué une excellente occasion de projeter l'image d'un organisme bilingue en n'affectant que 2 agents bilingues sur 10 aux pavillons

du Canada et de la Colombie-Britannique lors d'Expo 86 à Vancouver : tous les autres organismes fédéraux présents y avaient une proportion de bilingues beaucoup plus élevée.

Par ailleurs, nous notons avec plaisir que la grande majorité des gendarmes spéciaux embauchés pour assurer la protection des ambassades et la sécurité dans les aéroports parlent les deux langues et que, dans les régions bilingues, près de 60 p. 100 des postes bilingues comblés au cours de l'année l'ont été par des candidats possédant déjà les deux langues. En outre, les divisions provinciales entretiennent des contacts réguliers avec les associations de langue officielle minoritaire ; celle de la Colombie-Britannique mérite des éloges particuliers à cet égard.

Si le français se taille graduellement une place plus convenable comme langue de travail dans les régions du Nouveau-Brunswick et du nord-est de l'Ontario, grâce à une capacité bilingue accrue chez les surveillants, il en va autrement à l'administration centrale : le français y reste sous-utilisé, notamment lors des réunions et dans les activités d'encadrement. De plus, les communications entre l'administration centrale et les employés francophones des régions bilingues se font encore souvent en anglais seulement ; cela n'a rien de surprenant puisque parmi les quelque 1 300 titulaires de postes bilingues, plus de 50 p. 100 ne répondent pas aux exigences prescrites, cette proportion étant même plus élevée chez les surveillants. Cette situation inacceptable perdure depuis plusieurs années, et la GRC devrait à notre avis s'y attaquer sans plus tarder, plutôt que de chercher à affaiblir ses lignes de conduite.

Grâce à l'accroissement de la proportion des francophones parmi les gendarmes spéciaux, qui se situe maintenant à 30 p. 100, le pourcentage de francophones pour l'ensemble des membres s'établit à 16 p. 100, comparativement à 15 p. 100 l'an dernier, tandis qu'il est passé de 14 à 14,6 p. 100 chez les membres réguliers. Par ailleurs, la GRC a atteint un équilibre acceptable entre les deux groupes linguistiques dans son recrutement pour les membres réguliers : 182 des 680 recrues (27 p. 100) pour l'année 1986 étaient francophones.

En ce qui a trait à la gestion du programme des langues officielles, l'année 1986 aura été marquée, comme nous l'indiquions plus haut, par la révision de ses lignes de conduite. Signalons par ailleurs que le nombre de postes à la Direction des langues officielles a été réduit de 23 à 11 au cours de l'année. Même si une partie de ces effectifs a été affectée au Service central de la vérification interne, qui se chargera dorénavant de la vérification en cette matière, il s'agit tout de même d'une réduction importante compte tenu de tout ce qui reste à faire pour consolider le programme des langues officielles.

Nous avons reçu 30 plaintes contre la GRC en 1986, comparativement à 22 l'an dernier. Dix-sept d'entre elles touchaient le service au public ; dans plusieurs cas, on déplorait l'absence d'offre active de service. Les 13 autres portaient sur la langue de travail, notamment sur les difficultés de l'administration centrale à

communiquer en français avec la région du Québec. La collaboration de l'organisme dans le règlement des plaintes a été bonne en général, quoique dans certains cas il ait fallu revenir à la charge à plusieurs reprises avant d'obtenir des explications ou des engagements satisfaisants.

Gouverneur général*

La Résidence du Gouverneur général a enregistré des progrès cette année aux chapitres du service au public et de la langue de travail ; cependant, comme il ressort du suivi de notre vérification de 1985, les lacunes observées en ce qui a trait à la participation des deux groupes linguistiques et à la gestion du programme des langues officielles n'ont pas encore été comblées.

L'ensemble des services de Rideau Hall sont offerts dans les deux langues ; l'accueil téléphonique est bilingue et le public peut désormais bénéficier en tout temps de visites guidées en français. Les communications écrites s'effectuent dans la langue officielle du correspondant. Rideau Hall est en fait pourvu d'une bonne capacité bilingue : 65 p. 100 de ses 95 postes exigent la connaissance des deux langues et plus de 90 p. 100 d'entre eux sont occupés par des titulaires bilingues.

Au travail, les employés sont de plus en plus encouragés à utiliser leur langue officielle d'élection, notamment lors des réunions ; malheureusement, bien que la plupart se déroulent maintenant dans les deux langues, les procès-verbaux sont trop souvent rédigés en anglais seulement. Par ailleurs, on note encore certaines anomalies au chapitre de l'encadrement du personnel : 3 des 30 postes de surveillant n'exigent pas le bilinguisme, 3 autres ne requièrent qu'une connaissance minimale des deux langues et 3 autres encore ont des titulaires qui ne satisfont pas aux exigences prescrites. Les instruments de travail, ainsi que les services centraux et du personnel, sont toutefois disponibles en français et en anglais, et les cours offerts aux employés le sont désormais dans les deux langues.

La proportion d'employés anglophones, qui était de 35 p. 100 l'an dernier, a très peu augmenté au cours de l'année : au nombre de 35 sur un total de 95 employés, ils représentent maintenant 36,8 p. 100 du personnel. Encore une fois, nous recommandons que tous les efforts raisonnables soient consentis afin d'assurer une participation plus équitable des deux groupes linguistiques.

Au moment de la rédaction de notre rapport, Rideau Hall ne s'était pas encore doté d'une politique ni de directives précises en matière de langues officielles, mais il s'est engagé à le faire au plus tard au début de 1987.

La seule plainte reçue à l'endroit de la Résidence du Gouverneur général cette année concernait la qualité du français d'un document ; on a pris les mesures nécessaires pour régler le problème.

Justice

Les progrès accomplis par le ministère de la Justice en 1986 sont notables. En effet, il a adopté une nouvelle politique des langues officielles, modifié son

processus de planification et d'autres mécanismes afin d'assurer la responsabilité des gestionnaires en matière linguistique, et amélioré son mode d'évaluation. Il a également entrepris un examen en profondeur des exigences linguistiques des postes. A quelques exceptions près, le client est servi dans sa langue officielle d'élection ; la participation des deux groupes linguistiques est satisfaisante dans l'ensemble ; et, si le français ne jouit pas encore d'un statut égal à l'anglais comme langue de travail, il a cependant marqué des points.

Règle générale, l'affichage, l'accueil, les publications et les services professionnels se font dans les deux langues. Ainsi, tous les bureaux régionaux offrent un accueil bilingue. Sept cent trente-six des 1 379 postes (53 p. 100) sont désignés bilingues et 92 p. 100 des titulaires ont les qualifications voulues. L'examen de la désignation linguistique des postes à la lumière de la nouvelle politique a déjà entraîné, pour quelque 200 postes bilingues, le redressement du niveau de compétence, qui est passé d'intermédiaire à supérieur. Deux cents employés de l'administration centrale et des bureaux régionaux participent à un programme de formation linguistique. Néanmoins, la capacité bilingue de certains bureaux régionaux est toujours insuffisante. Par exemple, le bureau de Winnipeg ne compte qu'un employé bilingue parmi 22. Par contre, le Ministère a résolu un problème souligné l'an dernier : désormais tous les contrats passés avec les avocats de pratique privée comprennent des dispositions garantissant le droit du client d'être servi dans sa langue d'élection.

Si l'usage du français au travail laisse encore à désirer, le Ministère s'emploie à le promouvoir. D'autre part, nous nous réjouissons de l'attention qu'il a portée au problème de l'encadrement unilingue : à compter du mois d'avril 1987, tous les candidats accédant à des postes supérieurs des catégories professionnelles dans la région de la Capitale nationale (à l'exception d'employés qui sont au service du Ministère depuis longtemps) devront satisfaire aux exigences linguistiques au moment de leur nomination. Parallèlement, le Ministère relève du niveau intermédiaire au niveau supérieur les exigences linguistiques de certains postes d'encadrement, notamment ceux des conseillers juridiques supérieurs auprès des ministères. En outre, soucieux de donner l'exemple, le comité de la haute direction se sert des deux langues dans ses délibérations.

Le Ministère compte 464 employés francophones (34 p. 100) et 915 anglophones (66 p. 100), soit les mêmes proportions que l'an dernier. Dans les catégories professionnelles on retrouve 184 francophones (27 p. 100) et 505 anglophones (73 p. 100). Les taux de participation des deux groupes linguistiques nous semblent donc assez équitables. Cependant, seulement 10 des 60 membres de la haute direction et des cadres professionnels supérieurs (17 p. 100) sont d'expression française. De plus, les collectivités de langue minoritaire sont sous-représentées dans les bureaux régionaux. Ainsi, on ne retrouve que 5 anglophones (5 p. 100) au Québec, 2 francophones dans l'Ouest (1 p. 100) et aucun employé d'expression française dans les provinces de l'Atlantique. Sensible à ces déséquilibres, le Ministère entend les redresser en faisant l'inventaire des ressources humaines

dans le secteur juridique et en tentant d'attirer dès le début de leur carrière les licenciés en droit possédant les compétences professionnelles et linguistiques appropriées.

Les employés ont reçu une brochure attrayante intitulée *Les langues officielles : vos droits et responsabilités en tant qu'employés du ministère de la Justice* qui résume la nouvelle politique du Ministère. Celle-ci affirme l'obligation des employés de servir le public dans sa langue d'élection, ainsi que leurs droits dans des secteurs clés comme l'encadrement, les réunions, la formation linguistique et l'accès aux postes bilingues. En outre, elle décrit les responsabilités des gestionnaires et les structures devant assurer sa mise en œuvre, notamment le comité des langues officielles de la haute direction qui dirige la mise en œuvre de la politique et les groupes Évaluation et Vérification qui la contrôlent. Le Ministère reçoit également l'appui efficace de la Division des langues officielles.

Le Ministère a modifié son système de planification linguistique. Sous les auspices du comité des langues officielles, les chefs de service fixent des objectifs linguistiques précis et veillent à leur réalisation. Nous sommes heureux de ces changements qui ne peuvent qu'améliorer le rendement linguistique du Ministère. Nous regrettons cependant que les plans des langues officielles ne soient pas intégrés aux plans d'ensemble du Ministère, notamment aux plans des ressources humaines, afin d'en accroître l'efficacité.

Alors que nous n'avions reçu aucune plainte contre le Ministère l'an dernier, nous en avons reçu trois en 1986. La première avait trait à un questionnaire anglais envoyé à un francophone ; la seconde, à l'envoi d'une lettre en anglais à un francophone ; et la troisième, à l'accueil téléphonique en anglais seulement. Le Ministère s'est empressé de les régler.

Marine Atlantique*

A la Société Marine Atlantique, l'année 1986 aura été enfin marquée par un certain progrès sur le plan linguistique. En effet, la Société a désigné cette année de nouveaux postes bilingues afin de mieux servir ses clients dans leur langue d'élection, et elle dispose maintenant d'une politique des langues officielles pour la guider en ce sens. En matière de langue de service et de participation équitable, de sérieux progrès s'imposent.

Marine Atlantique offre six services de traversiers dans la région de l'Atlantique. Sa clientèle, formée de voyageurs et de travailleurs en transit, serait en droit d'attendre du transporteur un service bilingue assidu ; or elle n'obtient pas toujours des services satisfaisants. On ne s'étonnait pas d'avoir affaire à un guichetier, à un préposé au stationnement ou à un steward unilingues anglais ; en fait, comme nous le notions l'an dernier, les francophones devaient souvent s'en remettre au hasard pour être servis dans leur langue. Pour pallier cette lacune, Marine Atlantique affecte maintenant au moins un steward bilingue en tout temps à bord de tous ses traversiers durant la saison estivale, et toute l'année à bord de ceux

faisant la liaison Cap Tourmentin-Borden. En outre, les clients francophones peuvent désormais compter sur les services de guichetiers bilingues à longueur d'année dans les gares maritimes de Borden (Î.-P.-É.) et de Cap Tourmentin (N.-B.) ; signalons toutefois que ces services ne sont pas offerts aux voyageurs de nuit. Pour sa part, le service de réservation par téléphone RESMAR, à North Sydney (N.-É.), compte déjà suffisamment d'employés bilingues pour offrir un service adéquat dans les deux langues officielles. Quant aux autres gares maritimes, elles n'offrent des services bilingues que durant la saison d'affluence. C'est pourtant tout au long de l'année, et à toute heure du jour, que les voyageurs devraient être servis dans leur langue officielle d'élection.

La dotation des nouveaux postes bilingues à Marine Atlantique a causé certaines frictions dans les relations patronales-syndicales ; il est à espérer que la qualité des services offerts au public n'en souffrira pas. Par ailleurs, la Société a produit à l'intention de ses employés une bande vidéo leur expliquant comment offrir spontanément aux clients des services dans les deux langues officielles. Cette initiative nous semble intéressante et nous souhaitons qu'elle portera fruit.

La langue de service pose d'autres problèmes encore. Ainsi, les services bilingues ne sont toujours pas offerts activement partout à bord des traversiers. Nous avons d'ailleurs reçu une plainte concernant la lenteur que l'on a mise à donner les consignes de sécurité en français lors d'un accident survenu à bord du traversier *Caribou* l'été dernier. A son arrivée à North Sydney, le 11 juillet, on s'apprêtait à abaisser la passerelle de plusieurs tonnes qui permet d'atteindre la terre ferme lorsque celle-ci s'effondra par suite d'un bris mécanique. On pria immédiatement les passagers, en anglais seulement, de quitter les lieux de l'accident et de remonter au pont cinq du navire. Ce n'est qu'une demi-heure plus tard que l'annonce fut répétée en français. Fort heureusement, personne ne fut blessé ; mais si la malchance s'en était mêlée, il semble que les francophones auraient été laissés pour compte. A notre avis, le service en français à bord des traversiers doit être assuré avec d'autant plus de vigilance que la sécurité des passagers en dépend.

Des données récentes sur la composition linguistique du personnel à la Société Marine Atlantique démontrent que la participation francophone n'est que de 3 p. 100 et ce, dans une région où la population francophone s'établit à plus de 12 p. 100. La Société devra donc consentir des efforts en vue de rendre plus équitable la participation des francophones.

En ce qui a trait à la mise en œuvre du programme des langues officielles, nous sommes heureux de constater que Marine Atlantique s'est dotée cette année d'une politique linguistique. Cependant, bien que les gestionnaires aient des comptes à rendre quant à leurs objectifs en cette matière, la Société ne dispose d'aucun mécanisme lui permettant de contrôler l'ensemble de son programme des langues officielles ; il lui est donc difficile d'évaluer la performance des gestionnaires. De plus, pour assurer la mise en œuvre de son programme des langues officielles, la Société compte sur les services d'un coordonnateur des langues officielles qui

doit aussi assumer d'autres responsabilités administratives. Avec l'adoption d'une politique linguistique, des mesures de contrôle plus rigoureuses sont manifestement nécessaires ; et à cet égard, l'embauche d'un coordonnateur à temps plein nous semble essentielle.

Nous avons reçu 60 plaintes contre Marine Atlantique en 1986. De ce nombre, 30 portaient sur des annonces publicitaires qui n'auraient pas été publiées dans la presse de langue officielle minoritaire. La nouvelle politique des langues officielles de la Société comporte pourtant une disposition à cet effet ; manifestement, la Société gagnerait à se conformer à sa propre politique.

Par ailleurs, 20 plaintes portaient sur les divers services offerts à bord des traversiers et dans les gares maritimes de la liaison Cap Tourmentin-Borden, et 8 sur la liaison entre Saint-Jean (N.-B.) et Digby (N.-É.). Une autre concernait l'incident survenu à bord du *Caribou*, et la dernière avait trait au service de réservation RESMAR, à North Sydney, où l'on a fait attendre indûment un client francophone.

Musées nationaux*

La situation linguistique aux Musées nationaux du Canada n'a pas progressé depuis notre dernier examen en 1979. Les Musées éprouvent encore certaines difficultés à servir adéquatement leur public dans les deux langues officielles, le français n'occupe toujours pas la place qui lui revient en tant que langue de travail, et la participation des deux groupes linguistiques n'est pas plus équitable qu'en 1984.

Malgré les efforts de l'organisme pour offrir activement ses services dans les deux langues officielles dans la majorité des secteurs, des lacunes importantes persistent. Les agents de sécurité des divers musées, par exemple, ne sont toujours pas en mesure d'assurer spontanément et en tout temps un service bilingue. C'est le cas également des conservateurs et des techniciens, qui ont souvent à répondre aux demandes du public : 31,5 p. 100 des Scientifiques et spécialistes (23 sur 73) et 21 p. 100 des Techniciens (29 sur 139), titulaires de postes désignés bilingues, ne satisfont pas aux exigences prescrites. Les publications distribuées gratuitement sont généralement produites dans les deux langues officielles ; cependant, la qualité du français laisse parfois à désirer. D'autre part, la version française de certains ouvrages est vendue à un prix plus élevé que la version anglaise. Ainsi, les ouvrages de la série « Préhistoire » portant sur le Québec et l'Ontario se vendent 7,95 $ en français, et 5,50 $ en anglais.

Au chapitre de la langue de travail, la situation est restée aussi peu satisfaisante que lors de la vérification de 1979. Aucune mesure n'a encore été prise pour encourager l'usage du français au sein de l'organisme. Aussi longtemps que 26,6 p. 100 des surveillants (71 sur 267) ne répondront pas aux exigences linguistiques de leur poste, les réunions continueront de se dérouler presque exclusivement en anglais, et bon nombre d'employés francophones subiront leur évaluation annuelle de rendement dans leur langue seconde. De même, les cours

de formation et de perfectionnement ne sont pas toujours offerts dans les deux langues. Un questionnaire distribué par les Musées nationaux à ses employés à l'automne 1985, dans le cadre de notre vérification linguistique menée conjointement, a révélé que 44 p. 100 des employés francophones qui avaient suivi des cours en anglais auraient préféré les suivre en français. Les services du personnel sont normalement assurés dans les deux langues, mais il n'en va pas de même de certains des autres services internes.

Malgré une représentation globale de 31 p. 100, les francophones sont sous-représentés aux échelons supérieurs et dans trois des six catégories professionnelles. Ils n'occupent en effet qu'un seul des 19 postes de la haute direction (5,3 p. 100), et seulement 17 des 111 postes de niveau supérieur, soit 15,3 p. 100. Leur participation a très légèrement augmenté dans la catégorie Gestion (6 postes sur 33) ; elle a diminué de 2 p. 100 chez les Scientifiques et spécialistes, où elle se situe maintenant à 13 p. 100 ; et elle est restée la même chez les Techniciens avec un faible 15 p. 100. Les anglophones, pour leur part, sont sous-représentés dans les catégories Exploitation et Soutien administratif où ils n'occupent respectivement que 56 et 54 p. 100 des postes. Les Musées n'ont envisagé aucune mesure en vue de corriger ces déséquilibres.

La gestion des langues officielles ne constitue manifestement pas une priorité pour les Musées nationaux : on a fait bien peu pour donner suite aux recommandations de 1979, et les ressources de la Division des langues officielles ont même été réduites. Les objectifs linguistiques ne sont pas intégrés aux plans opérationnels et les gestionnaires n'ont pas de comptes à rendre en ce domaine. De plus, les responsabilités des divers intéressés ne sont pas assez clairement définies.

Sept plaintes ont été portées contre les Musées nationaux cette année. L'une concernait une note de service unilingue anglaise, les autres ayant trait à la langue de service dans les divers musées : absence de dépliants en langue française, mauvaise qualité de certains textes publicitaires, agents de sécurité unilingues. Trois de ces plaintes sont toujours à l'étude.

Office national du film*

L'Office national du film (ONF) a encore amélioré son programme des langues officielles cette année en mettant en œuvre deux des trois recommandations que nous lui avions faites à la suite de notre vérification de 1984. L'organisme continue de faire de son mieux pour servir le public dans les deux langues officielles, et traite le français et l'anglais sur un pied d'égalité en tant que langues de travail. Du côté de la participation des deux groupes linguistiques, il ne lui reste plus qu'un seul déséquilibre à corriger.

Dans l'ensemble, l'ONF est en mesure de fournir ses services dans les deux langues officielles. Cependant, la réorganisation majeure de 1985, en entraînant une réduction substantielle de ses effectifs, a eu des répercussions sur la qualité

des services bilingues en région. La capacité bilingue de certains bureaux de l'Atlantique, par exemple, n'est plus suffisante. Aucune mesure n'a encore été prise pour corriger cette situation.

Le fait que 94 p. 100 des 101 titulaires de postes de surveillants (tous désignés bilingues), soient linguistiquement qualifiés facilite grandement l'utilisation, par les employés, de leur langue officielle d'élection. Les outils de travail sont généralement disponibles dans les deux langues officielles, à l'exception de certains manuels techniques rédigés à l'étranger — lacune que nous avions signalée en 1984. Si, dans ce seul cas, l'ONF n'a pas encore donné suite à notre recommandation, la Direction du personnel a par contre produit un nouveau formulaire d'appréciation du rendement qui permet aux employés d'indiquer la langue officielle dans laquelle ils désirent être évalués.

L'existence de deux équipes de production distinctes pour les films français et anglais, et le fait que le bureau principal de l'ONF soit situé à Montréal, expliquent en partie que les francophones occupent 381 des 696 postes, soit 55 p. 100. Des deux écarts signalés en 1984 sur le plan de la participation, un seul a été corrigé : il s'agit du nombre de postes de la catégorie Scientifiques et spécialistes occupés par des anglophones, qui est passé de 2 sur 8 en 1984 à 5 sur 10 cette année. Dans la catégorie Soutien administratif, l'écart a plutôt augmenté : la participation francophone est passée de 60 à 66 p. 100.

L'engagement de la haute direction et des cadres, qui donnent le ton en cette matière, fait en sorte que les langues officielles reçoivent toute l'attention qu'elles méritent, conformément à la Loi. Les objectifs linguistiques sont intégrés aux plans opérationnels de la gestion, et la Direction du personnel en assure la surveillance ; ses directives et ses rappels sont habituellement respectés. De plus, l'ONF a entrepris de réviser les exigences linguistiques de ses postes et de vérifier les qualifications de leurs titulaires, afin de mieux répondre aux besoins créés par sa nouvelle structure.

L'ONF a fait l'objet de cinq plaintes cette année, soit trois de plus qu'en 1985. La première concernait la disponibilité de films en langue française à Thunder Bay, et les autres, l'absence de service en français aux bureaux de Saint-Jean (T.-N.), Sydney, Charlottetown et Regina. L'examen de ces plaintes était en cours à la fin de l'année.

Pêches et Océans

L'année 1986 n'a pas été des plus fécondes sur le plan linguistique au ministère des Pêches et Océans. On note peu de progrès dans la prestation de services bilingues, et le Ministère éprouve des difficultés à maintenir ses acquis tant au chapitre de la langue de travail que de la participation des deux groupes linguistiques.

En matière de langue de service, la clientèle francophone ne peut toujours pas compter sur de bons services dans sa langue à l'ouest des Grands Lacs, où le

Ministère ne compte que 7 postes bilingues sur un total de 1 886 ; en Colombie-Britannique, seulement 2 postes sur 1 621 sont désignés bilingues, nombre nettement insuffisant à notre avis étant donné l'importance des opérations du Ministère dans cette province.

Pour ce qui est de l'Est du pays, les services sont généralement offerts dans les deux langues officielles dans la région du Golfe, sauf dans quelques bureaux de la Nouvelle-Écosse et du comté de Northumberland au Nouveau-Brunswick. De plus, comme l'indique une étude interne effectuée par le Ministère dans la région de Scotia-Fundy, certains bureaux de cette région devront améliorer leur service bilingue. D'autre part, une enquête sommaire visant à déterminer le degré de satisfaction de la clientèle aux Îles-de-la-Madeleine a démontré que la grande majorité des anglophones de cette région recevaient les services du Ministère dans leur langue. Dans l'ensemble, le pourcentage d'employés effectivement bilingues est passé de 15,4 à 14,6 p. 100, soit une diminution de 0,8 p. 100.

L'anglais prédomine comme langue de travail au Ministère, sauf au Québec où francophones et anglophones sont en mesure de travailler dans leur langue. Le français est utilisé dans la région de la Capitale nationale et au Nouveau-Brunswick, mais essentiellement pour les communications orales ; les communications écrites se font trop souvent en anglais seulement. Il semble que les mesures prises par le Ministère en vue de promouvoir l'usage du français au travail se soient avérées insuffisantes.

En ce qui a trait à la participation, le Ministère semble faire marche arrière. Les francophones, au nombre de 926 sur 6 318 employés (soit 14,7 p. 100, un recul de près de 1 p. 100 par rapport à 1985), sont sous-représentés dans toutes les catégories d'emploi et à tous les échelons de la hiérarchie. Ainsi, ils n'occupent que 7,3 p. 100 des postes aux échelons supérieurs (35 employés sur 478), une proportion inacceptable. Nous déplorons également leur faible taux de participation dans les catégories Exploitation et Scientifiques et spécialistes, qui se situent respectivement à 4,6 et 10,9 p. 100. Quant à la participation anglophone au Québec, elle s'est améliorée, passant de 7,2 à 8,3 p. 100, tandis que la participation francophone dans l'Ouest restait à peu près inchangée à 0,4 p. 100 (7 francophones sur 1 886 dont aucun au Manitoba).

Bien que les objectifs en matière de langues officielles soient intégrés au système de planification opérationnelle du Ministère et que les gestionnaires en soient directement responsables, les mesures de contrôle en place ne touchent que les grandes lignes de la mise en œuvre du programme des langues officielles. Manifestement, un contrôle plus détaillé et plus rigoureux s'impose.

Nous avons reçu huit plaintes contre le Ministère en 1986, toutes liées à la langue de service. Trois d'entre elles avaient trait à des annonces publicitaires n'ayant pas été publiées dans la presse de langue officielle minoritaire, une mettait en cause la qualité du français de certains textes explicatifs affichés à l'intérieur de la « piscifacture » de Capilano en Colombie-Britannique, une autre portait sur

l'accueil téléphonique et deux autres avaient trait à des inscriptions unilingues anglaises. Quant à la dernière infraction, il s'agissait d'un document scientifique intitulé *Pacific Fishes of Canada*, Bulletin 180. Bien que le Ministère ne croie pas que la traduction de ce document soit justifiée, nous sommes d'avis, au contraire, qu'une telle publication qui sert d'ouvrage de référence dans les bibliothèques et maisons d'enseignement au Canada et qui, par surcroît, est vendue à l'étranger, se doit d'être éditée en français afin de donner aux communautés francophones la possibilité de consulter ce document important dans leur langue.

Pétro-Canada

La situation linguistique n'a guère évolué à la société Pétro-Canada en 1986. A toutes fins utiles, les faiblesses que nous avons signalées dans nos rapports antérieurs persistent, et rien ne nous permet de croire que la Société s'apprête à les corriger.

En matière de service au public, Pétro-Canada s'en tient rigoureusement aux normes qu'elle a établies. Ainsi, l'affichage bilingue n'est de mise qu'aux points de vente desservant des localités où la minorité constitue au moins 10 p. 100 de la population. Pareil critère exclut, a priori, les routes interprovinciales importantes, comme la Transcanadienne, et cela en dépit des dispositions de la *Loi sur les langues officielles* en ce qui a trait aux services aux voyageurs.

Par ailleurs, l'affichage bilingue dans une station-service ne garantit aucunement que le service sera assuré dans les deux langues. Aux yeux de la Société, ses obligations linguistiques se limitent à l'aspect visuel ; inutile de dire que nous ne partageons pas cette opinion. Nous avions d'ailleurs formulé plusieurs recommandations en 1984 afin que Pétro-Canada améliore divers aspects du service au public, mais leur mise en œuvre se fait toujours attendre.

Sauf au Québec, le français n'est pas utilisé autant qu'il devrait l'être dans les bureaux situés dans les régions bilingues. Les instruments de travail, qu'il s'agisse de manuels, de formulaires ou de bulletins d'information, sont bilingues, mais là s'arrêtent à peu près les efforts de la Société pour promouvoir l'usage des deux langues.

Cette année encore, Pétro-Canada n'a pu nous fournir de données valables sur les compétences linguistiques de son personnel, ni sur la représentation des deux groupes linguistiques. Nous savons toutefois que l'achat des intérêts de Gulf à l'ouest du Québec s'est traduit par la venue de quelque 3 000 nouveaux employés dans les rangs de Pétro-Canada, qui en comptait déjà 6 450. Cet apport a sans doute modifié considérablement les taux de participation des francophones et des anglophones, ainsi que leur répartition. La Société se doit de prendre les mesures nécessaires pour recueillir les renseignements linguistiques de base sur son personnel.

Pétro-Canada est loin d'avoir donné à son programme des langues officielles l'élan nécessaire qui permettrait de penser qu'elle s'est irrévocablement engagée dans

la voie de la réforme de son régime linguistique. Malgré les recommandations que nous lui avons faites en 1984 dans notre rapport de vérification, la Société ne s'est toujours pas dotée d'une structure administrative propre à faire avancer la réforme du régime linguistique. Depuis plus d'un an, une seule personne travaille à plein temps au programme des langues officielles. Ce n'est manifestement pas assez compte tenu de la taille de l'organisme et des problèmes qui restent à surmonter.

Nous avons reçu 20 plaintes contre Pétro-Canada en 1986, soit 5 de plus que l'an passé. La plupart avaient trait à l'affichage et à la publicité dans les stations-service. Le service en personne, la correspondance et le non-respect de la politique de la Société sur l'utilisation de la presse minoritaire (quatre dans ce cas) ont aussi fait l'objet de plaintes. De façon générale, le traitement des plaintes est lent.

Revenu national (Douanes et Accise)

Le ministère du Revenu national (Douanes et Accise) a marqué des points au chapitre des langues officielles en 1986. Il a amélioré la qualité de son service au public dans les deux langues, modifié son programme afin de permettre aux employés de travailler dans leur langue d'élection et maintenu des taux de participation appropriés. Mais il lui reste encore des problèmes à résoudre, y compris l'insuffisance de postes bilingues dans certaines régions et les déséquilibres géographiques et professionnels en matière de participation.

Le Ministère a entrepris une vaste réorganisation qui entraînera la mise à pied d'environ 200 de ses 10 152 employés. Il a néanmoins réussi à maintenir la même capacité bilingue qu'en 1985 : 92,7 p. 100 des 3 204 titulaires de postes bilingues ont la compétence voulue. Parmi les initiatives visant à améliorer la qualité du service, mentionnons la distribution d'un traducteur de poche aux employés unilingues qui ont des contacts avec le public et, en réponse aux plaintes suscitées par l'absence de service en français, la tenue de 16 séances d'information à l'intention des employés de la région de Winnipeg. Le Ministère a également lancé un projet pilote de cours immersifs en français d'une durée de deux semaines pour des petits groupes d'employés qui, ensuite, se joignaient à des collègues francophones pour une période de formation en milieu de travail. L'efficacité du projet est en voie d'évaluation. Le Ministère a également effectué plusieurs sondages sur le taux de satisfaction linguistique et les préférences à cet égard de sa clientèle et il a obtenu des résultats encourageants ; enfin, il a embauché un plus grand nombre d'étudiants bilingues (32 p. 100 des 625) pour la période estivale. Par contre, le nombre des postes bilingues en Saskatchewan, au Manitoba et en Ontario demeure trop faible. En Ontario, mise à part la région de la Capitale nationale, seulement 6,5 p. 100 des quelque 3 500 postes sont désignés bilingues, ce qui ne favorise guère une offre active de service en français à la population minoritaire de cette région et aux nombreux voyageurs francophones du Québec qui la traversent. Les postes douaniers de la Saskatchewan et du Manitoba ne comptent respectivement que 4 et 32 employés bilingues, soit 2,2 et 8,5 p. 100 de l'effectif.

De sérieux efforts ont été consentis pour permettre aux employés de travailler dans leur langue officielle d'élection. De plus en plus, les postes d'encadrement désignés bilingues dans la région de la Capitale nationale sont comblés par des candidats qui maîtrisent déjà le français et l'anglais. Le Ministère a également décidé d'accroître sensiblement, dans la catégorie Gestion et dans les services centraux et du personnel, le nombre de postes bilingues exigeant un niveau supérieur de compétence linguistique. Les séances de formation des surveillants traiteront désormais de la question des langues officielles. Les rédacteurs ont maintenant accès aux services de spécialistes en matière de révision et de terminologie. Cependant, le Ministère a encore une lacune importante à combler : les formulaires d'évaluation du rendement ne permettent toujours pas aux employés d'indiquer leur préférence linguistique. C'est un problème qu'il importe de régler immédiatement.

Des 10 152 employés du Ministère, 73,6 p. 100 sont anglophones et 26,4 p. 100 francophones. Bien que la répartition générale soit équitable, certains échelons et certaines catégories d'emploi posent toujours des problèmes. Par exemple, les francophones ne représentent qu'environ 16 p. 100 des employés de la catégorie Gestion et un peu plus de 21 p. 100 de celle des Scientifiques et spécialistes. Par contre, les anglophones sont sous-représentés dans la catégorie Exploitation (51 p. 100 environ), et au Québec, ils ne comptent que pour 6,9 p. 100 des 1 929 employés.

Manifestement, les cadres supérieurs acceptent la responsabilité de la mise en œuvre du programme des langues officielles et sont bien secondés par la Division des langues officielles, qui s'est dotée d'un système de contrôle efficace. Soucieux d'améliorer davantage son rendement, le Ministère a accepté de donner suite aux recommandations formulées dans le cadre d'une vérification effectuée en 1986 par le Conseil du Trésor, et visant à faire participer davantage les cadres intermédiaires à la mise en œuvre du programme des langues officielles.

Nous avons reçu cette année 17 plaintes contre le Ministère. Quatorze d'entre elles concernaient la langue de service, 10 l'unilinguisme anglais de l'accueil téléphonique ou du service en personne, 3 relatives à l'affichage et 1 au sujet de la publicité. Les trois autres portaient sur la langue de travail. Le Ministère s'est le plus souvent montré empressé à collaborer à la solution de ces problèmes.

Revenu national (Impôt)

Dans l'ensemble, la performance du ministère du Revenu national (Impôt) a été convenable en 1986. Il a accru sa capacité de répondre aux demandes de renseignements des contribuables dans la langue appropriée dans plusieurs de ses 30 bureaux de district, notamment dans l'Ouest. Cependant, il a consenti peu d'efforts pour résoudre les problèmes linguistiques liés aux programmes de vérification et de recouvrement que nous soulevions l'an dernier. Plusieurs directeurs de district accordent peu d'importance à la question des langues officielles, de sorte que le personnel bilingue n'est pas toujours au bon endroit

au bon moment. Le Ministère n'a pas non plus jugé utile de compléter son excellente brochure de 1985 sur la langue de travail par un programme destiné à garantir le respect des droits linguistiques des employés. Les francophones et les anglophones sont équitablement représentés, et certains déséquilibres régionaux et sectoriels signalés dans nos rapports antérieurs ont été redressés.

Le Ministère a adopté de louables initiatives visant à améliorer le service dans les deux langues. Pas moins de 15 bureaux ont maintenant des lignes téléphoniques distinctes pour traiter les demandes de renseignements des contribuables en français et en anglais. Les trois régions dont la capacité bilingue avait été jugée insuffisante ont entrepris de remédier à la situation en augmentant le nombre de postes bilingues de 14 dans les provinces de l'Atlantique, de 20 en Ontario et de 50 dans l'Ouest. Le Ministère a également rencontré la majorité des associations de langue minoritaire afin de régler les problèmes liés à la langue de service et à la non-utilisation de la presse minoritaire.

Le Ministère a amélioré ses services bilingues d'aide aux contribuables, mais ses programmes de vérification et de recouvrement restent malheureusement déficients. Malgré les recommandations que nous formulons depuis des années à ce sujet, on n'a toujours pas intégré de directives touchant les langues officielles aux sections du Manuel des opérations de l'Impôt traitant des programmes d'acquiescement fiscal. Il n'est donc pas étonnant que 14 bureaux de district, dont ceux d'Halifax, d'Hamilton, d'Edmonton et de Vancouver, n'ont aucun vérificateur professionnel bilingue et que le plus important, celui de Toronto, ne compte que 3 vérificateurs bilingues sur un total de 545. Ainsi, le Ministère n'est en mesure de respecter ni l'esprit, ni la lettre de la *Loi sur les langues officielles*.

On ne constate guère de progrès au chapitre de la langue de travail, le français n'occupant toujours pas la place qui lui revient au sein du Ministère. Nombre de surveillants sont incapables d'exercer leurs fonctions dans la langue seconde : 236 des surveillants (ou 31 p. 100) à l'administration centrale et dans les régions bilingues ne possèdent qu'un niveau inférieur de compétence linguistique ou sont tout simplement unilingues, alors qu'ils devraient connaître les deux langues. La capacité bilingue des bureaux régionaux de l'Ontario (London) et de l'Atlantique (Halifax) laisse à désirer. Notons cependant que sept employés du bureau d'Halifax participent à des programmes de formation linguistique afin de remédier à la situation. Au siège social, la majorité des documents sont rédigés en anglais, 90 p. 100 des traductions se faisant de l'anglais vers le français. Par contre, les services internes du Ministère, sauf quelques exceptions dans le secteur du traitement de l'information, sont offerts dans les deux langues et les principaux documents de travail, comme le Manuel des opérations de l'Impôt, sont bilingues.

Les taux de participation des francophones et des anglophones demeurent les mêmes que l'an dernier, s'établissant respectivement à 27 et 73 p. 100. Étant donné que 12 des 39 candidats à accéder cette année aux échelons supérieurs sont

francophones, les employés d'expression française ne sont maintenant que légèrement sous-représentés chez les cadres supérieurs et les membres de la haute direction (21 et 24 p. 100 respectivement). Le nombre d'employés anglophones au Québec est passé de 90 (3 p. 100) à 123 (3,8 p. 100) et le Nouveau-Brunswick compte maintenant 63 employés francophones (27,6 p. 100) par rapport à 56 (25,9 p. 100) en 1985. Cependant, les déséquilibres n'ont toujours pas été redressés chez certains groupes spécialisés de l'administration centrale. Par exemple, seulement 2 des 33 statisticiens (6 p. 100) sont francophones.

Tous les bureaux régionaux sont tenus de présenter un rapport d'activité semestriel à la Section des langues officielles du Ministère, et l'appréciation annuelle des cadres supérieurs tient maintenant compte de la mise en œuvre du programme linguistique. Peut-être le moment est-il venu d'étendre cette mesure aux chefs de service qui sont tenus de s'assurer que tous les services au public — demandes de renseignements, cotisations, vérifications, recouvrements, etc. — sont offerts dans les deux langues.

Cette année, nous avons reçu 30 plaintes contre le Ministère, soit le même nombre que l'an dernier. Parmi les sujets de doléance, mentionnons des avis de cotisation envoyés aux contribuables dans l'autre langue officielle, l'unilinguisme du service téléphonique et l'absence de formulaires d'impôt dans la langue d'élection du contribuable. Dans un cas particulièrement déplorable, 213 employeurs francophones de l'Ouest ont reçu la version anglaise du Guide de l'employeur et du fiduciaire. Le Ministère a réparé son erreur en demandant à l'administration centrale de leur faire parvenir des guides en français. Une autre plainte mettait en jeu un homme d'affaires de Yellowknife qui avait toujours traité en français avec le Ministère : avant l'intervention du Commissariat, on comptait lui envoyer un vérificateur unilingue anglophone.

Le Ministère s'empresse de répondre à toutes les plaintes que nous lui signalons. Par contre, il met trop de temps à remarquer les problèmes linguistiques et à prendre les mesures qui s'imposent pour les prévenir.

Santé nationale et Bien-être social

Le ministère de la Santé nationale et du Bien-être social a marqué plusieurs points en 1986, mais il n'a pas réussi à régler certains problèmes chroniques. Bien que le service au public se soit amélioré à plusieurs égards, la capacité bilingue présente de graves déficiences dans certaines régions. Le français n'est utilisé comme langue de travail qu'au Québec et dans quelques divisions de l'administration centrale : ailleurs, c'est l'anglais qui prime. Enfin, la participation francophone est faible dans toutes les régions, sauf au Québec, au Nouveau-Brunswick et dans la région de la Capitale nationale.

Dans les régions où il y a une forte demande de services dans les deux langues, ceux-ci sont offerts de façon active, verbalement ou au moyen d'affiches et d'annonces dans la presse minoritaire. Cependant, à Terre-Neuve et dans le Grand

Nord, le Ministère n'a aucune capacité en français ; et dans les cinq provinces à l'ouest de la région de la Capitale nationale, moins de 4 p. 100 des employés sont bilingues, soit 119 sur 3025. Au moins deux directions recourent à des cassettes pour enseigner aux réceptionnistes unilingues des rudiments de langue seconde leur permettant d'accueillir leurs interlocuteurs et de les diriger vers les services appropriés en français ou en anglais. Mais avec un taux de bilinguisme aussi faible, on n'a manifestement pas beaucoup de chances d'être servi efficacement en français dans ces régions. La question avait été soulevée dans notre Rapport annuel de 1985, mais le Ministère n'a à peu près rien fait pour remédier à la situation.

Le français ne jouit de l'égalité en milieu de travail qu'au Québec et dans quelques unités de l'administration centrale. Le fait que 80 p. 100 des surveillants titulaires de postes bilingues satisfont aux exigences prescrites — une augmentation de 7 p. 100 par rapport à 1985 — aurait dû permettre à un plus grand nombre d'employés d'exercer leur droit à l'encadrement dans leur langue. Mais cette amélioration n'a eu qu'un effet limité, car la politique du Ministère (dont nous déplorions le manque de générosité dans notre Rapport annuel de l'an dernier) n'autorise que les seuls titulaires de postes bilingues dans les régions désignées bilingues ou à l'administration centrale à signaler leur préférence linguistique sur la formule d'évaluation du rendement. Nous persistons à croire que l'on pourrait étendre cette disposition à tous les employés sans alourdir démesurément le fardeau des gestionnaires.

Le taux de participation global des francophones s'est accru de 1 p. 100 pour atteindre 23,2 p. 100. Cependant, la sous-représentation des anglophones au Québec s'est accentuée : ils ne sont plus que 17 (3,1 p. 100), comparativement à 28 en 1985 (3,7 p. 100). Le sort réservé aux francophones n'est guère meilleur : on ne saurait parler d'équilibre linguistique qu'au Nouveau-Brunswick et dans la région de la Capitale nationale, où ils représentent respectivement 29 et 30 p. 100 des effectifs. L'ensemble des autres régions compte à peine 100 employés francophones sur plus de 4000. La participation des francophones laisse à désirer dans trois des six catégories d'emploi et à divers échelons de la hiérarchie. Chez les membres de la haute direction et chez les cadres supérieurs, on ne trouve respectivement que 17 et 15 p. 100 de francophones. Cette année encore, nous demandons au Ministère de prendre des mesures énergiques pour corriger ces déséquilibres.

Bien que la préparation du plan des langues officielles n'ait pas encore été intégrée à la planification opérationnelle, celui-ci sensibilise efficacement les gestionnaires à leurs responsabilités linguistiques. Étant donné les déficiences de la capacité bilingue et les déséquilibres sur le plan de la participation dont nous avons fait état, on peut se demander pourquoi le Ministère ne recourt pas plus souvent à la dotation « impérative ». On n'a employé cette méthode que pour 98 des 450 postes bilingues comblés au cours des huit premiers mois de 1986, soit 21,8 p. 100. De tels chiffres nous portent à douter de la volonté du Ministère de remédier à ses maux linguistiques.

Condition physique et sport amateur, qui depuis des années est source de problèmes linguistiques pour le Ministère, a fait plus de progrès en une année que depuis sa création. S'activant enfin, on a désigné bilingues 98 des 125 postes, et 91 sont maintenant occupés par des titulaires qualifiés. Au total, les exigences de 15 postes ont été relevées, le niveau de connaissance de la langue seconde passant d'intermédiaire à supérieur. La capacité de la direction à servir le public dans les deux langues officielles est maintenant bien établie. La plupart des programmes de Condition physique et sport amateur sont mis en œuvre par les associations nationales de sports, de conditionnement physique et de loisirs : c'est dans leurs rangs qu'on a connu le plus d'obstacles à la prestation de services bilingues au public. Or, en 1986, 47 associations sportives nationales ont présenté des plans d'action en matière de langues officielles — soit plus que le double que dans toute autre année — et, pour la première fois, quatre associations de conditionnement physique leur ont emboîté le pas. On a fait parvenir une trousse sur les langues officielles à toutes les associations, et un comité composé de représentants des gouvernements fédéral et québécois a reçu le mandat de recommander des mesures susceptibles de favoriser l'utilisation des deux langues officielles dans les activités de conditionnement physique et de sport amateur sur la scène nationale.

Nous avons reçu 45 plaintes contre le Ministère, soit 4 de plus qu'en 1985. De ce nombre, 7 mettaient en cause Condition physique et sport amateur, comparativement à 17 en 1985. Toutes concernaient le service au public ; 4 avaient trait aux Jeux d'hiver de 1987 au Cap-Breton, et 3 autres au service offert par des associations qui ont reçu des fonds du Ministère. Des 38 plaintes qui visaient les autres secteurs du Ministère, 2 concernaient la langue de travail, et 36 avaient pour objet le service au public. De ce dernier groupe, 12 concernaient les services de réception, 11 la correspondance, 6 les pratiques en matière de publicité et 2 des communiqués émis par le Comité organisateur des Jeux olympiques de 1988.

Secrétariat d'État

Le Secrétariat d'État affiche cette année encore une performance linguistique quasi impeccable. Sa forte capacité bilingue lui permet d'offrir facilement ses services dans les deux langues officielles, et ses employés peuvent travailler à leur gré en français ou en anglais. Sa seule faiblesse concerne la participation des deux groupes linguistiques.

Le Secrétariat d'État se fait un devoir de servir tous les Canadiens dans leur langue officielle d'élection ; aussi ses effectifs bilingues sont-ils généralement bien répartis d'un océan à l'autre. La seule ombre au tableau provient de la Cour de la citoyenneté, où le nombre de juges bilingues reste insuffisant : malgré la nomination de 7 juges cette année, seulement 11 sur 37 sont bilingues, dont 5 au Québec. Il s'agit là d'un problème sérieux que le Ministère tarde à résoudre depuis trop longtemps, mais un groupe de travail a proposé récemment diverses solutions concrètes dans un rapport au sous-secrétaire d'État. L'autre problème auquel le Ministère devrait s'attaquer, dans l'intérêt de tous les Canadiens, est

celui du contrôle de la qualité linguistique des services offerts par les associations volontaires nationales qu'il subventionne.

Le français et l'anglais jouissent d'un statut égal en tant que langues de travail au Secrétariat d'État. La plupart des surveillants sont conscients de leurs obligations à cet égard, tout comme les employés connaissent leurs droits. Ces derniers sont donc encadrés et évalués dans leur langue officielle d'élection, et les services centraux et du personnel sont offerts dans les deux langues. Les instruments de travail sont bilingues, les réunions à tous les niveaux se déroulent indifféremment dans l'une ou l'autre langue, et les cours de formation et de perfectionnement sont offerts également en français et en anglais.

Les taux de participation, en excluant le Bureau des traductions, ont très peu varié : les anglophones occupent 54,5 p. 100 des postes, comparativement à 56 p. 100 en 1985 ; ils demeurent sous-représentés dans les catégories Soutien administratif (47,0 p. 100) et Gestion (57,6 p. 100). Au Québec, leur participation n'a que peu progressé : ils n'occupent que 4 des 71 postes (5,6 p. 100).

Les objectifs du Secrétariat d'État en matière de langues officielles ne sont pas intégrés à ses plans opérationnels, et celui-ci ne s'est pas doté d'un plan des langues officielles cette année, se contentant de produire un sommaire à l'intention de la direction. Les cadres supérieurs doivent toutefois rendre compte du rendement de leur secteur sur le plan des langues officielles, et sont évalués sous cet angle. L'équipe de vérification interne du Ministère est chargée de contrôler la situation linguistique, et le suivi est assuré par le directeur des langues officielles. Par ailleurs, un diaporama a été produit dans le but de mieux informer les employés et les gestionnaires de leurs droits et obligations en matière de langues officielles. Enfin, la décentralisation des responsabilités en ce domaine a entraîné une importante réduction des effectifs de la Direction des langues officielles, ce qui a eu pour effet de réduire son efficacité.

Cette année, 16 plaintes ont été portées contre le Ministère, soit 2 de plus qu'en 1985. A part 2 qui concernaient la langue de travail à l'administration centrale, toutes se rapportaient à la langue de service : 4 d'entre elles mettaient en cause la capacité bilingue de la Cour de citoyenneté, et 10 autres étaient des erreurs de parcours que le Secrétariat d'État a corrigé avec une rapidité exemplaire. A la fin de l'année, quatre plaintes étaient encore en cours d'instruction.

Sénat*

Nous signalions l'an dernier que le Sénat semblait prêt à entreprendre les réformes nécessaires à la mise en œuvre d'un programme efficace des langues officielles. Le suivi de notre vérification de 1984 nous amène cependant à conclure que cela ne s'est guère concrétisé cette année. Le Sénat peut facilement dispenser ses services au public dans les deux langues officielles, mais des lacunes importantes perdurent dans d'autres domaines. Ainsi, la proportion des anglophones dans l'Administration, qui était déjà très faible, a continué à décroître, et la gestion du programme des langues officielles laisse toujours à désirer.

La capacité bilingue du Sénat lui permet de servir le public de façon satisfaisante dans chaque langue. Plus de 60 p. 100 des 386 postes exigent le bilinguisme, et 87 p. 100 d'entre eux sont occupés par des titulaires qualifiés. En outre, 46 p. 100 des postes bilingues exigent un niveau de connaissance supérieur de la langue seconde. Les visites guidées sont offertes en français et en anglais, et les agents de sécurité sont en mesure d'accueillir les visiteurs dans les deux langues. Quant aux sénateurs, ils bénéficient de services dans leur langue. Cependant, comme nous le soulignions l'an dernier, le Sénat devrait utiliser des tests plus rigoureux pour évaluer la compétence linguistique de son personnel. A l'heure actuelle, celle-ci est mesurée trop souvent sur la seule base de l'évaluation des surveillants.

Quelques progrès ont été réalisés en matière de langue de travail : certains gestionnaires anglophones du Service du personnel et des Finances suivent des cours de langue seconde, tandis que les cours et les manuels de traitement de texte sont maintenant disponibles en français. L'usage de cette langue demeure toutefois limité dans certains secteurs d'activité, et cela même si les francophones forment 62 p. 100 du personnel. Le français n'est utilisé que 10 p. 100 du temps aux réunions du comité de gestion, en raison de la présence de trois anglophones à toutes fins utiles unilingues. Le Sénat estime que près de la moitié des 54 surveillants possèdent une connaissance de niveau supérieur de leur langue seconde, mais 8 autres ne sont pas en mesure d'encadrer leur personnel dans les deux langues.

Le Sénat ne s'intéresse guère au problème de la sous-représentation des anglophones au sein de son personnel. La situation s'est d'ailleurs aggravée depuis l'an dernier : ceux-ci ne forment plus que 38 p. 100 des effectifs, une baisse de 3 p. 100 par rapport à 1985. Cette diminution atteint même 10 p. 100 parmi les cadres intermédiaires. Dans la catégorie Exploitation, seulement 4 des 14 derniers employés recrutés étaient anglophones. Nous avons signalé ce problème à maintes reprises au Sénat, mais celui-ci n'a rien fait pour y remédier ; on attend encore qu'il élabore un plan, ou qu'il mette en place des mesures de contrôle à cet effet.

Toute la gestion du programme des langues officielles laisse d'ailleurs à désirer encore cette année. Les responsabilités des gestionnaires, de la Direction du personnel et du coordonnateur des langues officielles n'ont pas encore été clairement définies, de sorte que personne ne se préoccupe vraiment de la bonne marche du programme. Malgré nos demandes répétées, le Sénat ne s'est pas encore doté d'un plan d'action en ce domaine. Il nous a assuré qu'il allait intégrer des objectifs linguistiques à ses plans opérationnels pour la prochaine année, et tenir compte des réalisations des cadres supérieurs en cette matière lors de l'appréciation de leur rendement. Nous espérons que ce ne sont pas là vaines promesses. Dans l'ensemble, le Sénat n'a pleinement donné suite qu'à 9 des 26 recommandations formulées à la suite de notre vérification de 1984. Nous poursuivrons sans relâche nos démarches pour qu'il corrige cette situation sans plus de délai.

Nous n'avons reçu aucune plainte contre le Sénat en 1986.

Service canadien du renseignement de sécurité*

La situation linguistique déplorable que nous notions l'an dernier au sein du Service canadien du renseignement de sécurité est demeurée inchangée durant la première partie de l'année, mais le Service a amorcé une belle remontée dans les derniers mois de 1986, comme il est ressorti de notre vérification. Les progrès les plus importants touchent la gestion même du programme ainsi que les communications entre l'administration centrale et la région du Québec.

Le Service achevait en fin d'année de déterminer de façon précise les exigences linguistiques de tous les postes ; il sera ainsi en mesure de mieux évaluer sa capacité à offrir ses services au public dans les deux langues. Notre vérification a cependant mis en lumière des lacunes évidentes dans le secteur des enquêtes en matière de sécurité intéressant les fonctionnaires ; en dehors du Québec, et notamment à Ottawa, celles-ci se font le plus souvent en anglais seulement, quelle que soit la langue des personnes en cause. Étant donné la nature intimidante de ces enquêtes, le Service se doit de régler le problème le plus rapidement possible. Par ailleurs, le Service a décidé qu'à partir de 1987, toutes les recrues devront posséder un niveau de connaissance intermédiaire de leur langue seconde ; voilà une décision fort sage. Environ 40 p. 100 des recrues étaient bilingues cette année, comparativement à 10 p. 100 en 1985.

En ce qui concerne la langue de travail, l'administration centrale a continué à communiquer très souvent en anglais seulement avec la région du Québec pendant une bonne partie de l'année. Des plaignants ont en effet porté à notre attention quelque 1 700 télex unilingues anglais envoyés à la région du Québec au cours des 10 premiers mois de l'année. Les gestionnaires justifiaient cette pratique en invoquant l'urgence des messages transmis. Pourtant, bon nombre d'entre eux étaient très courts et auraient pu être préparés rapidement dans les deux langues. Des directives très fermes ainsi qu'un contrôle plus rigoureux ont donc été mis en place, et le nombre d'infractions a diminué de façon importante. Ce contrôle devra toutefois être exercé de façon continue, puisqu'il est ressorti de nos entrevues avec des employés francophones du Québec que cette question était pour eux une source d'irritation très grande. Un autre problème soulevé à plusieurs reprises était la faible capacité bilingue d'un grand nombre de gestionnaires à l'administration centrale. Un contrôle plus serré est maintenant exercé en cette matière ; on exige le bilinguisme pour un plus grand nombre de ces postes, et les gestionnaires unilingues suivent des cours de langue. Nous continuerons à suivre de près cette question.

L'usage du français est maintenant plus répandu dans les réunions de la haute direction à l'administration centrale. Par contre, lors d'un sondage que nous y avons effectué, ainsi que dans les bureaux régionaux d'Ottawa et du Québec, dans le cadre de notre vérification, près du tiers des répondants francophones ont indiqué que les réunions auxquelles ils prenaient part se déroulaient en anglais seulement. La plupart des services centraux et du personnel sont offerts sans difficulté dans les deux langues, mais quelques secteurs éprouvent encore des difficultés à cet

égard, notamment ceux des relations de travail, du traitement informatisé des données et des télécommunications. En ce qui a trait aux cours de formation, la situation s'améliore graduellement : environ la moitié des cours ont été offerts dans les deux langues en 1986, alors qu'il y en avait très peu auparavant. La formation de base pour les recrues n'est toujours offerte qu'en anglais, mais le Service s'est engagé à l'offrir en français également à partir de l'automne 1987.

Le Service ne dispose pas encore de données complètes sur la participation des deux groupes linguistiques dans ses rangs. Selon les données recueillies lors de notre sondage, il y aurait 64 p. 100 d'anglophones et 36 p. 100 de francophones dans les bureaux régionaux du Québec et d'Ottawa ainsi qu'à l'administration centrale ; à ce dernier endroit, le quart du personnel serait francophone. Les anglophones sont bien représentés au Québec avec environ 15 p. 100 des effectifs, et il en va de même pour les francophones au bureau régional d'Ottawa (30 p. 100 du personnel). Signalons que près de 38 p. 100 des recrues du dernier contingent étaient francophones, contre à peine 6 p. 100 dans les deux précédents. En outre, le Service a commencé à mieux se faire connaître auprès du public francophone afin d'accroître la proportion des membres de ce groupe dans sa banque de candidatures.

La gestion du programme des langues officielles s'est grandement améliorée au cours de l'année, avec notamment l'entrée en fonction, au printemps, d'un coordonnateur des langues officielles. On a exigé des gestionnaires principaux qu'ils préparent des plans d'action touchant leur secteur d'activité, et on tiendra compte de leurs réalisations à cet égard dans l'appréciation de leur rendement. Même s'il lui reste encore beaucoup de chemin à faire, le Service a fait des progrès importants en 1986, en grande partie parce que la direction accorde maintenant une juste priorité aux langues officielles.

En plus des nombreux cas de télex envoyés au Québec en anglais seulement, d'autres plaintes portaient sur les exigences linguistiques de certains postes à l'administration centrale ou sur l'unilinguisme de cours de formation. Un problème délicat n'a toujours pas été résolu : des candidats francophones ont allégué que le psychologue chargé de procéder aux tests et aux évaluations psychologiques des postulants n'était pas suffisamment bilingue pour pouvoir évaluer correctement leurs réponses.

Service correctionnel

Le Service correctionnel du Canada a subi d'importants changements organisationnels en 1986, notamment une décentralisation des responsabilités au profit des régions et des établissements, et la privatisation d'un certain nombre de services aux détenus. Si la haute direction a donné l'assurance que ces changements n'affecteraient pas le programme des langues officielles, il n'en demeure pas moins que celui-ci n'a guère progressé en ce qui a trait à la prestation de services bilingues aux détenus et au statut du français en tant que langue de travail. Le Service devra par ailleurs revoir son système de gestion et de contrôle des langues officielles

pour s'assurer que ses objectifs en ce domaine continuent d'être respectés de façon uniforme malgré la décentralisation.

La capacité du Service correctionnel d'offrir ses services aux détenus dans les deux langues s'est légèrement accrue par rapport à l'an dernier. Les titulaires de postes bilingues répondant aux exigences prescrites représentent maintenant 16,7 p. 100 du personnel (1745 employés sur 10439), comparativement à 15,1 p. 100 l'an dernier. Les régions de l'Atlantique et du Québec sont maintenant assez bien pourvues en personnel bilingue, la proportion de celui-ci s'établissant à 23 et 27 p. 100 respectivement. C'est d'ailleurs dans ces deux régions que l'accroissement du pourcentage d'employés bilingues a été le plus marqué par rapport à l'an dernier.

On note aussi quelques progrès dans les régions de l'Ontario et du Pacifique, mais la capacité bilingue y reste minimale et ne permet pas d'offrir de façon constante les services essentiels en français dans tous les établissements. Ainsi, les quelque 150 détenus de langue française répartis dans les huit pénitenciers de la région du Pacifique ne peuvent compter que sur 90 employés bilingues sur un effectif d'un peu plus de 1 500 personnes, ce qui est insuffisant. La moindre baisse des effectifs bilingues peut compromettre la disponibilité des services en français, comme c'est le cas à l'établissement de Mission (C.-B.) où le nombre d'employés bilingues est tombé de 12 à 6 depuis l'an dernier. Dans la région de la Prairie, leur proportion est demeurée à 5 p. 100 comme en 1985. Dans la plupart des pénitenciers de ces régions, les services qui laissent le plus à désirer du point de vue linguistique sont les services de santé. Il existe une certaine capacité bilingue parmi les infirmières, mais les médecins et les psychologues sont souvent unilingues anglais.

Dans l'ensemble des pénitenciers, les communications écrites individuelles avec les détenus se font de plus en plus dans la langue de ces derniers, mais les communications d'ordre général se font très souvent dans la langue majoritaire de la région. En outre, d'une façon générale, les services bilingues sont très rarement offerts de façon spontanée aux détenus de langue minoritaire. Très souvent, on tient pour acquis que ces derniers parlent la langue de la majorité, et ils doivent insister s'ils veulent que les services leur soient offerts dans leur langue. Or exception faite de la région de la Prairie, où l'on a rappelé à tous les employés leurs obligations en la matière, bien peu a été fait pour corriger cette situation qui perdure. Aussi recommandons-nous à la haute direction de donner sans tarder des directives très claires aux régions à cet égard. Par ailleurs, nous suivrons de près la situation en ce qui a trait aux services qui sont maintenant offerts par l'entreprise privée ou les provinces, tels les services de cafétéria, de soins de santé, de formation des détenus et de libération conditionnelle. Le Service nous a donné l'assurance à la fin de l'année que toutes les ententes touchant ces services comporteront dorénavant des dispositions sur la prestation de services bilingues.

Le français n'occupe toujours pas la place qui lui revient comme langue de travail. Signalons toutefois la nomination d'un premier sous-commissaire bilingue pour la région de l'Atlantique. Cette région devra poursuivre ses efforts pour favoriser une plus grande utilisation du français au pénitencier de Dorchester et s'occuper également de la situation à cet égard dans les autres établissements du Nouveau-Brunswick. En raison de l'importante réorganisation à l'administration centrale, on a accordé bien peu d'attention à la question de la langue de travail et le français y reste sous-utilisé, notamment lors des réunions de la haute direction et dans les activités d'encadrement. Une trentaine des 175 postes de surveillant n'exigent toujours que la connaissance de l'anglais, et une vingtaine d'autres sont occupés par des unilingues.

La participation globale des deux groupes linguistiques continue d'être assez bien équilibrée, les anglophones formant les deux tiers des quelque 10 500 employés et les francophones l'autre tiers. Il en va de même pour ce qui est de leur répartition entre les catégories d'emploi, la proportion des francophones variant du quart pour la catégorie Gestion au tiers pour celle du Soutien administratif. Exception faite de la région de l'Atlantique, où l'on s'est efforcé d'augmenter la participation francophone en embauchant 30 francophones sur près de 70 nouveaux employés, les déséquilibres régionaux sont cependant demeurés à peu près inchangés. Malgré une légère hausse dans le recrutement d'anglophones au Québec, ces derniers représentent encore moins de 1 p. 100 des quelque 3 000 employés de cette région. Il faudra s'attaquer à cette question de façon plus résolue, tout comme en Ontario, où les francophones ne comptent que pour un peu moins de 2 p. 100 des 2 240 employés. Par ailleurs, ceux-ci ne forment que 15 p. 100 des membres de la Gestion à l'administration centrale.

Compte tenu des changements organisationnels déjà signalés, le Service correctionnel devrait revoir son système de gestion des langues officielles. Un premier pas sera bientôt fait dans ce sens : chaque établissement doit se donner au cours des prochains mois de nouvelles normes touchant les services bilingues. Il incombe cependant au Service d'établir des lignes directrices précises afin que les régions et les divers établissements, qui disposent maintenant d'une plus grande autonomie, soient clairement responsables de l'application de sa politique linguistique et du respect des normes établies. Un autre aspect important du programme reste aussi à établir, soit la mise en place de mesures de contrôle ; à l'heure actuelle, celles-ci sont nettement insuffisantes.

Nous avons reçu 25 plaintes contre le Service correctionnel comparativement à 14 l'an dernier. Vingt d'entre elles touchaient les divers aspects du service aux détenus ou à leurs visiteurs, notamment l'unilinguisme des services de santé et des communications écrites. Les cinq autres concernaient la langue de travail à l'administration centrale : notes de service unilingues anglaises, obligation de joindre un résumé en anglais à la correspondance française et appréciation du rendement d'un francophone préparé en anglais.

Société canadienne des postes

La Société canadienne des postes semble avoir atteint un plafond en matière linguistique. Si le service au public et la gestion du programme des langues officielles se sont quelque peu améliorés, le français au travail et la participation des deux groupes linguistiques font toujours problème. Si la Société peut, dans l'ensemble, se targuer d'une approche systématique et bien planifiée en ce qui a trait à la réforme du régime linguistique, les progrès réels sont lents à venir.

Avec quelque 8 000 points de service et plus de 63 000 employés desservant les Canadiens à travers le pays, il n'est pas étonnant que la Société enregistre ses principaux succès, et ses déficiences les plus tenaces, au chapitre du service au public. En 1986, elle a entrepris l'élaboration d'un nouveau plan d'action en évaluant la qualité des services dispensés par son réseau de quelque 1 200 bureaux de poste bilingues dans les régions où se concentrent ses clients de langue officielle minoritaire. La Société est également en train d'élaborer des normes touchant le nombre minimum de succursales bilingues et de préposés au guichet nécessaires dans les régions où la demande est importante. Ces initiatives, fort louables, se faisaient néanmoins attendre depuis longtemps, comme en témoigne l'exemple du bureau de poste de Harcourt au Nouveau-Brunswick, qui dessert une région où 40 p. 100 de la population est francophone : une cliente unilingue francophone devait s'y faire accompagner par des amis bilingues parce qu'aucun des deux employés de la succursale n'était en mesure de la servir en français. Lorsque la Société eut à combler un poste bilingue, elle a tout d'abord songé à nommer un titulaire unilingue, mais, se ravisant, elle a vu là une bonne occasion de le confier à un bilingue.

L'introduction progressive ou l'amélioration du service bilingue au comptoir se poursuit : 11 des 12 localités-cibles de 1985-1986 offrent maintenant leurs services dans les deux langues, ainsi que 4 autres qui ne devaient être en mesure de le faire qu'en 1987 ou 1988. Règle générale, les critères servant à définir les régions où la demande est importante sont adéquats. Cependant, la Société devrait faire preuve de plus de souplesse à cet égard et ajouter à sa liste les villes qui revêtent une importance symbolique, comme Charlottetown et Saint-Jean (T.-N.), ces dernières recevant de nombreux visiteurs, touristes, gens d'affaires et habitants en provenance d'autres régions de leurs provinces respectives. La Société devrait également se pencher sur les services offerts par les boutiques postales qui font leur apparition dans nombre de villes. Trois des cinq boutiques originelles offrent maintenant le service dans les deux langues, mais des quatre qui ont ouvert leurs portes en 1986, seule celle de Moncton est dotée d'une capacité bilingue. Les boutiques de Winnipeg, Hamilton et Québec ont des postes désignés bilingues, mais leurs titulaires ne satisfont pas aux exigences linguistiques prescrites.

La Société devrait insister davantage sur les questions linguistiques lors de ses négociations avec les syndicats en vue de mieux contrôler l'embauche, l'établissement des horaires et l'affectation du personnel bilingue. On faciliterait ainsi la

prestation soutenue d'un service de qualité en français et en anglais dans tous les points de service bilingues, dont ceux de Halifax, de Moncton, de St-Jean (N.-B.), de Toronto et d'Edmonton où le service au comptoir reste un problème.

Un sondage effectué par la Société en août dernier montre que 80 p. 100 des points de service bilingue avaient des cartes-comptoir annonçant la prestation de services dans les deux langues. En outre, quelque 5 000 auto-collants pour appareils téléphoniques ont été distribués à l'administration centrale et dans les succursales régionales pour rappeler aux employés que l'accueil téléphonique devait se faire dans les deux langues. Le guide bilingue concernant l'accueil en personne ou au téléphone, dont nous avons parlé dans notre rapport de l'an dernier, a été publié dans 8 des 10 répertoires téléphoniques internes de la Société. Malgré cela, même dans les bureaux dotés d'une forte capacité bilingue, rares sont ceux qui, au comptoir ou au téléphone, offraient de vive voix leurs services dans les deux langues. De plus, les employés de certaines villes comme Windsor et Edmonton ne savent pas toujours lequel ou laquelle de leurs collègues est bilingue, ni quelles autres succursales sont en mesure d'offrir un service dans les deux langues. La Société doit maintenant s'employer à assurer l'efficacité optimale de son programme d'offre active de services et exercer un contrôle soutenu de la situation, notamment dans les succursales qui utilisent un système de file unique pour le service au comptoir.

Le service à la clientèle dans les deux langues sera examiné dans le cadre d'une vaste étude de son important réseau téléphonique. Si les clientèles de Vancouver, de Winnipeg et de Toronto ont maintenant accès à un numéro spécial pour les demandes de renseignements en français, les francophones du Nouveau-Brunswick attendent toujours le service de libre appel qui devait être mis à l'essai en avril dernier. Entre-temps, à l'instar de la clientèle de langue minoritaire de nombreuses régions du pays, ils doivent se contenter d'un service téléphonique irrégulier et parfois inexistant dans leur langue. Cette remarque vaut particulièrement pour les unités du Service à la clientèle : dans les régions où la demande est importante, seules 13 des 25 unités ont une capacité bilingue suffisante.

Mis à part quelques secteurs de l'administration centrale et certains bureaux des divisions Montréal et Rideau, les employés de langue minoritaire n'ont guère l'occasion de travailler dans leur langue. Cependant, les services centraux et du personnel ainsi que les cours de formation et de perfectionnement sont généralement offerts dans les deux langues officielles. La Société n'a guère fait d'efforts pour promouvoir l'usage du français comme langue de travail parmi les employés de la région de la Capitale nationale ou des autres régions bilingues à l'extérieur du Québec. Un sondage sur la langue de travail effectué en 1986 auprès de titulaires de postes bilingues à l'administration centrale a fait ressortir plusieurs problèmes que la Société devrait s'empresser de régler. Par exemple, 50 à 70 p. 100 des documents rédigés par les employés francophones le sont en anglais, ce qui est inacceptable. Bien qu'un tiers des répondants francophones ait indiqué qu'ils préféraient être évalués dans leur langue, seulement 15 p. 100 des évaluations

écrites et 29 p. 100 des évaluations orales respectaient cette préférence. Pour venir à bout de ce problème, la Société devra d'abord s'assurer que les formulaires d'évaluation permettent aux employés d'indiquer leurs préférences linguistiques ; elle devra aussi prendre des dispositions spéciales dans le cas des surveillants qui n'ont pas la compétence linguistique voulue (à l'heure actuelle, 21 p. 100).

Des restrictions en matière de recrutement extérieur ont empêché la mise en œuvre de la stratégie quinquennale d'embauche de la Société. C'est pourquoi, selon les statistiques du mois d'août, les déséquilibres linguistiques restent à corriger. Si la représentation des francophones est bonne globalement — ils constituent 27,4 p. 100 des 63 480 employés — et à la majorité des échelons, leur présence aux niveaux supérieurs est loin d'être satisfaisante : on n'en retrouve que 38 parmi 229 cadres (16,6 p. 100). D'autre part, dans le sud de l'Ontario et dans l'Ouest, ils forment moins de 0,7 p. 100 d'un effectif de 35 644 personnes. Les anglophones, pour leur part, ne représentent que 2,5 p. 100 des employés du Québec, comme nous l'avons souligné dans nos six derniers rapports. La répartition par catégorie d'emploi est acceptable, sauf dans les catégories Services administratifs et Techniques, où les anglophones ne forment respectivement que 64 p. 100 et 57 p. 100 de l'effectif. La Société doit intégrer des objectifs précis à son programme des langues officielles afin de corriger ces déséquilibres.

Au cours de l'été 1986, la Société a effectué un examen exhaustif de son programme linguistique, mettant l'accent sur l'information diffusée aux gestionnaires et leur responsabilité en matière de langues officielles. En outre, les vérifications internes régionales tiennent maintenant compte de la question linguistique. Cependant, le moment est venu pour la Société de s'attaquer à un problème chronique : le faible pourcentage de postes désignés bilingues, et l'insuffisance de la compétence linguistique exigée. A l'extérieur de l'administration centrale, qui communique rarement avec le public, seulement 3 097 (5 p. 100) des 61 139 postes sont désignés bilingues. Et ce pourcentage tombe à moins de 1 p. 100 dans des régions telles le sud de l'Ontario, l'Alberta et la Colombie-Britannique. Bien que plus de 90 p. 100 des titulaires satisfassent aux exigences linguistiques, la capacité bilingue globale est manifestement insuffisante. Qui plus est, la moitié des postes bilingues ne requièrent qu'une connaissance élémentaire de la langue seconde et 49 p. 100, une connaissance intermédiaire. Les préposés aux guichets appartiennent à la première catégorie, et la Société n'a pas retenu les recommandations de notre vérification de 1983 et de notre suivi de 1985, lesquelles indiquaient que le niveau de compétence élémentaire ne permet pas aux employés de servir efficacement le public dans les deux langues officielles.

En 1986, nous avons reçu 128 plaintes contre la Société, soit une augmentation de 56 p. 100 par rapport à l'an dernier. Soixante-dix-neuf d'entre elles touchaient le service au comptoir, l'accueil téléphonique et l'affichage, autrement dit les faiblesses chroniques de la Société. Malgré la souplesse qu'offre notre nouveau processus de traitement des plaintes, la Société est toujours lente à réagir. C'est ainsi, qu'à Saint-Boniface, près de Winnipeg, une grande enseigne unilingue

apparaît à la devanture d'une pharmacie. Déjà la Société a promis à deux reprises de la remplacer : quatre ans et de nombreuses interventions plus tard, l'affiche unilingue est toujours en place...

Société canadienne d'hypothèques et de logement*

Sur le plan linguistique, la Société canadienne d'hypothèques et de logement (SCHL) n'a guère progressé en 1986. Elle s'est employée à rétablir sa capacité de servir le public dans les deux langues officielles, qui avait fortement diminué lors de la réorganisation nécessitée par une nouvelle réduction de ses effectifs. Cependant, elle n'a pas réussi à encourager l'usage du français au travail et les anglophones demeurent sous-représentés au Québec, tout comme les francophones dans les autres régions.

Dans la plupart des bureaux de la SCHL, l'accueil, au téléphone ou en personne, est bilingue ; notre vérification a toutefois fait ressortir plusieurs exceptions, notamment au Québec, en Ontario et dans l'Ouest. Par contre, le bureau de Vancouver a retenu dernièrement les services d'une réceptionniste bilingue, et ceux de Windsor et de Sault-Sainte-Marie ont retrouvé une partie de leur capacité bilingue grâce aux cours de langue seconde suivis par les employés.

Dans certains bureaux de l'Ontario, comme dans les régions de la Prairie et du Pacifique, il existe peu de postes désignés bilingues ; si l'on y offre parfois un service dans les deux langues, c'est grâce à la présence fortuite de quelques employés bilingues. Suite à notre récente vérification, nous avons recommandé à la SCHL de revoir régulièrement la désignation linguistique des postes afin de s'assurer qu'elle est en mesure de répondre à la demande, et de faire le nécessaire pour que la minorité linguistique sache clairement qu'elle peut être servie dans sa langue.

La Société a conclu, ou est en voie de conclure, des ententes avec les gouvernements des provinces visant à transférer la responsabilité des programmes de logement social à ses pendants provinciaux. Elle a tenté d'obtenir l'assurance que ces programmes continueront d'être offerts dans les deux langues officielles. Cependant, si certaines provinces se sont engagées à produire de la documentation publicitaire bilingue, seuls le Nouveau-Brunswick et l'Ontario ont jusqu'à maintenant accepté d'offrir le service au public en français et en anglais.

Notre vérification nous a permis de constater une fois de plus que l'anglais demeure la seule véritable langue de travail en dehors du Québec. En effet, d'après notre enquête, bon nombre de francophones sont encadrés entièrement en anglais et il arrive souvent que les évaluations du rendement se fassent dans la langue du surveillant plutôt que dans la langue d'élection de l'employé. Beaucoup d'employés, tant parmi les francophones du bureau national que parmi les anglophones au Québec, acceptent la situation par simple courtoisie envers les surveillants unilingues. Malheureusement, leur tolérance n'a pas suscité chez la SCHL des mesures énergiques visant à favoriser l'usage des deux langues au

travail. Malgré la présence de francophones, d'importantes réunions se déroulent exclusivement en anglais. Qui plus est, tous les programmes de formation et de perfectionnement offerts en français en 1986 ont été annulés en raison du faible taux d'inscription. Mentionnons cependant qu'ayant été informée par les vérificateurs de la présence d'affiches unilingues anglaises au bureau national, la SCHL a immédiatement entrepris d'y substituer des versions bilingues.

De prime abord, la participation des deux groupes linguistiques ne semble poser aucun problème, le pourcentage de francophones se maintenant à 32 p. 100. Les francophones et les anglophones constituent respectivement 30 et 70 p. 100 des employés des catégories Gestion et Spécialistes, mais on ne retrouve que 19,6 p. 100 de francophones parmi la haute direction et les cadres supérieurs. A l'opposé, les anglophones sont légèrement sous-représentés dans les catégories Soutien administratif et Exploitation, où ils ne comptent que pour 65 p. 100 de l'effectif.

La ventilation par région montre que des 423 employés du Québec, seulement 10 sont d'expression anglaise (2,4 p. 100), tandis qu'à l'ouest de l'Ontario on ne trouve que 10 francophones parmi 609 employés (1,6 p. 100). Face à l'importance de ces déséquilibres, les vérificateurs ont recommandé à la SCHL d'adopter un plan d'action énergique pour remédier à la situation.

En 1986, la Société s'est employée à réaffecter les employés dont les postes étaient appelés à disparaître : malheureusement, elle n'a tenu aucun compte des exigences linguistiques des postes qu'elle comblait. Ainsi, au 30 septembre 1986, le nombre de titulaires de postes bilingues ne répondant pas aux exigences atteignait 326 (39,4 p. 100), comparativement à 186 à la fin 1985 (22,8 p. 100). Bien sûr, elle offre une formation linguistique à ses employés, mais la nomination d'un nombre accru de titulaires unilingues peut avoir des répercussions fâcheuses sur le service au public et la langue de travail. Aussi devra-t-elle surveiller de près la situation.

La promotion du français comme langue de travail se fait attendre depuis trop longtemps déjà à la SCHL. Nous avons constaté que bon nombre de gestionnaires ne participent pas à l'élaboration du programme des langues officielles et, partant, ne sont pas sensibilisés à ses objectifs. La responsabilité des gestionnaires en matière linguistique n'est donc pas assez claire et le groupe des langues officielles du bureau national ne dispose pas des ressources nécessaires pour assurer la mise en œuvre du programme.

Le total des plaintes portées cette année contre la Société s'élève à 18, comparativement au total corrigé de 7 en 1985. Une plainte avait trait au service unilingue d'un bureau de Winnipeg et une autre à l'unilinguisme de l'accueil téléphonique à Vancouver ; toutes deux ont été résolues de manière satisfaisante. Deux autres avaient trait à des coquilles et ont été réglées avec empressement. Cependant, l'une mettant en cause l'accueil unilingue au bureau de Charlottetown est toujours en suspens. Les 13 autres concernaient la publication d'annonces dans

la presse de langue minoritaire : 6 en Nouvelle-Écosse et 7 en Saskatchewan. Il s'agit là d'un problème plus vaste qu'on n'a pas encore su résoudre de façon satisfaisante.

Statistique Canada

L'année 1986 a été fort chargée pour Statistique Canada en raison du recensement quinquennal du 3 juin, qui touchait près de huit millions de foyers dans tout le Canada. Dans l'ensemble, le Bureau s'est bien acquitté de ses obligations linguistiques envers le public, que ce soit au cours du recensement ou dans ses autres activités. Il a accru ses efforts en vue de permettre un usage plus équitable du français et de l'anglais au travail, et son programme des langues officielles est assorti d'un bon nombre de mesures de contrôle.

En dehors de la période du recensement (dont nous reparlerons), Statistique Canada semble en mesure d'offrir d'excellents services dans les deux langues officielles à sa clientèle : près de 42 p. 100 de ses employés sont effectivement bilingues, et ils sont bien répartis dans toutes les régions du pays.

Statistique Canada s'est aussi efforcé de faire une plus grande place au français en tant que langue de travail. Bien que l'anglais continue de prédominer à l'administration centrale, certaines mesures ont été prises pour faire suite aux recommandations d'un rapport d'étude interne sur le sujet. Ainsi, les employés et les gestionnaires sont régulièrement informés de leurs droits et obligations en cette matière ; le français est maintenant utilisé dans plusieurs réunions — notamment toutes celles de la gestion — et on a mis sur pied une série de conférences-midi en français s'adressant à tous les employés. En outre, la Division des langues officielles a entrepris cette année une étude sur le français et l'informatique en milieu de travail, étude dont les conclusions seront connues en 1987. Par ailleurs, nous avons noté au cours de la période du recensement que le bureau régional de l'Atlantique, situé à Halifax, refusait de traiter en français avec les employés francophones du Nouveau-Brunswick. Une telle situation est évidemment inacceptable, mais tout laisse croire que la situation est en voie de se régler.

Statistique Canada compte 4 814 employés, dont 3 047 sont anglophones (63,3 p. 100) et 1 767 francophones (36,7 p. 100). Ces derniers sont légèrement sous-représentés à la haute direction et dans les postes de niveau supérieur, leur pourcentage oscillant entre 21 et 22 p. 100, alors qu'ils occupent 40,5 p. 100 des postes aux échelons inférieurs de la hiérarchie. Les anglophones, pour leur part, sont sous-représentés dans les catégories Exploitation (42,2 p. 100) et Soutien administratif (58,4 p. 100). Si les francophones sont bien répartis dans toutes les régions du pays, les anglophones ne représentent que 5 p. 100 du personnel au Québec — une situation qu'il faudra s'efforcer d'améliorer.

En ce qui a trait à la gestion du programme des langues officielles, les cadres supérieurs de Statistique Canada sont tenus d'atteindre les objectifs fixés au cours

de l'année, et un compte rendu de leur performance est soumis régulièrement à la haute direction. De même, la traduction, la formation linguistique, la dotation et la classification des postes sont soumises à des mesures de contrôle. De plus, le groupe de vérification interne procède actuellement à une étude sur le degré de satisfaction de la clientèle.

Le service au public lors du recensement quinquennal du 3 juin a fait l'objet de 30 plaintes auprès du Commissariat, soit à peu près le même nombre que lors du recensement précédent. Celles-ci avaient trait en général à l'unilinguisme de certains recenseurs, à l'absence d'offre active de services bilingues en personne ou au téléphone, et à la publicité unilingue française ou anglaise. Pour ce qui est de cette publicité, il faut préciser qu'elle fut faite de façon bénévole par des tiers n'appartenant pas au gouvernement ; tous n'ont pas accepté de faire de la publicité dans les deux langues. A notre avis, toutes les annonces auraient dû être bilingues, puisqu'il s'agissait de messages d'intérêt public produits au nom du gouvernement canadien. Nous espérons que cette question sera réglée d'ici le recensement de 1991. Le Commissariat a également reçu lors du recensement six plaintes concernant la langue de travail, la plupart ayant trait au processus de dotation et à la formation des recenseurs.

Enfin, Statistique Canada a fait l'objet de neuf plaintes non reliées au recensement. De celles-ci, deux touchaient la langue de travail, deux autres l'accueil téléphonique unilingue et deux l'absence de publicité dans la presse minoritaire. Quant aux trois autres plaintes, elles portaient sur diverses questions reliées à la langue de service. Statistique Canada a, dans l'ensemble, fait preuve d'une bonne coopération dans le règlement des plaintes.

Transports

En 1986, le ministère des Transports a consacré beaucoup plus de temps et d'énergie à faire des sondages qu'à améliorer son rendement linguistique, pourtant modeste.

Du côté du service au public, l'affichage continue, au mépris de la Loi, d'être déficient dans plusieurs aéroports. Si la situation s'est améliorée à Vancouver, elle reste tout à fait déplorable à Toronto où l'on relève encore nombre de messages unilingues et de fautes d'orthographe dans les messages français. L'inconséquence du Ministère en ce domaine suscite parfois les protestations du public ; on nous demandait encore récemment s'il était normal que l'affichage fût unilingue dans un aéroport fédéral. Le Ministère se doit de prendre immédiatement toutes les mesures nécessaires pour faire en sorte que l'affichage soit entièrement bilingue dans tous les aéroports.

Dans la même veine, les services assurés par les concessionnaires dans les aéroports — entreprises de location de voitures, restaurants, kiosques à journaux, etc. — ne répondent pas aux attentes linguistiques des voyageurs. En dépit des dispositions contractuelles à cet effet et des contrôles périodiques du Ministère,

les manquements en matière d'affichage et de services bilingues persistent dans l'ensemble du réseau aéroportuaire.

Par ailleurs, on ne signale aucun progrès sensible en ce qui a trait au problème des consignes de sécurité au cours des vols ; encore aujourd'hui, les voyageurs constatent beaucoup trop souvent l'absence de messages bilingues. Il serait temps que le Ministère — qui s'est contenté jusqu'à maintenant de faire appel à la bonne volonté des transporteurs aériens — consacre plus d'énergie à cette question qui est à l'étude depuis 1983.

Nous avons salué l'an dernier la décision du Ministère d'assurer le contrôle aérien dans les deux langues officielles à l'aéroport international d'Ottawa. Toutefois, les délais prévus avant que ce projet ne se concrétise sont plutôt longs : août 1988 en ce qui concerne le centre d'information de vol, et le printemps 1989 pour ce qui est du vol à vue.

Nous regrettons vivement que la division de Terre-Neuve de la Garde côtière n'ait pas encore fait connaître les résultats du sondage qu'elle a entrepris en 1985 sur la demande de services dans les deux langues officielles. La même lenteur caractérise du reste le sondage national dans les aéroports qui, à l'origine, devait se terminer en 1985 : les résultats dévoilés en 1986 étant incomplets, la révision de la stratégie du Ministère en matière de bilinguisme se fera encore attendre.

Le Ministère compte 20 561 employés, dont 4 464 (21,7 p. 100) occupent des postes bilingues ; de ce nombre, 3 836 (85,9 p. 100) sont qualifiés sur le plan linguistique. Ce dernier taux traduit un léger recul de la capacité bilingue du Ministère par rapport à l'année dernière.

Pour ce qui est de la langue de travail, il faut déplorer le fait que le rapport du sondage entrepris sur cette question il y a deux ans dans les régions bilingues, n'ait été terminé que tout récemment. Signalons toutefois que les principaux instruments de travail sont disponibles dans les deux langues officielles, et que la proportion de surveillants bilingues est passée de 77,7 à 81,4 p. 100 en deux ans, ce qui constitue un net progrès.

L'usage du français au travail est fonction de la participation francophone globale, qui accuse une légère régression : elle est passée de 22,9 p. 100 en 1985 à 22,7 p. 100 en 1986. Alors que la participation anglophone est restée faible au Québec (7,1 p. 100), les francophones sont sous-représentés dans la région de la Capitale nationale (23,7 p. 100), au Nouveau-Brunswick (14 p. 100) et au Manitoba (1,3 p. 100). Leur proportion est tout aussi modeste chez les employés des catégories Gestion (16,7 p. 100), Scientifiques et spécialistes (19,9 p. 100) et Technique (20 p. 100).

L'administration du programme des langues officielles reposait jusqu'à récemment sur un effectif de 15 personnes. A la suite, cependant, d'une restructuration administrative, la plupart d'entre elles ont été affectées à diverses composantes du Ministère. Quoiqu'il soit trop tôt pour juger des effets de ce changement, il

est pourtant indispensable que le Ministère se dote de mécanismes de contrôle plus efficaces. Sur ce plan, tout en reconnaissant la grande rigueur des vérifications ministérielles portant sur les services linguistiques dans les aéroports, nous estimons qu'il faudrait les étendre à l'ensemble du programme et veiller à ce que tous les gestionnaires aient à rendre compte de la mise en œuvre de la réforme.

Nous avons reçu 41 plaintes contre le Ministère en 1986, 11 de plus que l'année dernière. Toutes sauf trois portaient sur le service au public, notamment en Ontario et dans l'ouest du pays. La collaboration du Ministère au règlement des plaintes est généralement bonne.

Travaux publics

Le ministère des Travaux publics ne mérite certes pas de félicitations pour sa performance linguistique en 1986. Le service au public présente toujours de graves lacunes et le français au travail n'a bénéficié d'aucun effort sérieux de promotion. Quant à la participation équitable, elle n'existe qu'aux échelons inférieurs.

L'affichage et l'offre active de service au public ne posent aucun problème dans les bureaux des régions bilingues. Cependant, dans d'autres régions, la capacité bilingue est faible. Même si la récente nomination de trois agents bilingues à Winnipeg doit améliorer considérablement la situation, les régions à l'ouest de la Capitale nationale ne comptent toujours que 34 employés bilingues sur un total de 2 331 (1,5 p. 100). Le Ministère n'a pas de système pour mesurer le taux de satisfaction linguistique de sa clientèle et n'entretient pas des relations soutenues avec les minorités nationales afin de connaître leurs besoins.

Mis à part la région de la Capitale nationale et le Québec, les appels d'offre ne sont publiés qu'en anglais. Malgré notre recommandation de 1983, le Ministère n'a toujours pas renoncé à cette pratique, enfreignant ainsi la *Loi sur les langues officielles*.

Hors du Québec l'usage du français au travail est peu répandu, en raison, sans doute, du grand nombre de cadres supérieurs et intermédiaires qui ont du mal à exercer leurs fonctions en français. Des 100 postes dans la catégorie Gestion, 70 sont désignés bilingues, mais seulement 45 titulaires (64 p. 100) ont les compétences voulues. Les cours de formation et de perfectionnement en français sont rarissimes, la majorité des employés préférant participer à des programmes dans leur langue de travail. Certains services centraux et du personnel ne sont pas offerts dans les deux langues, même dans les régions bilingues, et les descriptions d'emploi sont rarement disponibles en français. Enfin, la majorité des instruments de travail du secteur informatique — manuels des opérateurs, logiciels, etc. — ne sont disponibles qu'en anglais.

Dans l'ensemble, la participation est équitable, les anglophones formant 72,7 p. 100 des effectifs et les francophones 27,3 p. 100. Cependant, ces derniers sont sous-représentés aux échelons supérieurs et intermédiaires. Dans chacune des catégories Gestion et Scientifiques et spécialistes les francophones ne compten

que pour 18,6 p. 100 de l'effectif global. On ne retrouve au Québec qu'un total dérisoire de 7 anglophones sur un effectif de 410 employés (1,7 p. 100). Ailleurs, la présence francophone ne se fait sentir qu'au Nouveau-Brunswick (15,9 p. 100) et dans la région de la Capitale nationale (34,5 p. 100). A l'extérieur de ces trois régions, les francophones forment à peine 1 p. 100 de l'effectif (36 sur 3 449).

Les gestionnaires semblent accorder moins d'importance aux objectifs linguistiques depuis qu'on les a intégrés aux plans opérationnels. Réagissant enfin à notre recommandation de 1983, les vérificateurs internes du Ministère ont récemment mesuré l'efficacité du programme des langues officielles : ils n'ont cependant publié aucun rapport à ce jour. La Division des langues officielles ne dispose pas des ressources nécessaires pour assurer un contrôle efficace du programme. En outre, les coordonnateurs régionaux ont de nombreuses autres responsabilités. Signalons en passant que les coordonnateurs des deux régions les plus à l'ouest occupent des postes qui ne requièrent que la connaissance de l'anglais : on imagine mal comment leur efficacité ne s'en trouverait pas diminuée.

Le Ministère a fait preuve de plus d'empressement pour régler les plaintes en 1986, mais, malheureusement, leur nombre est monté en flèche. Des 27 plaintes reçues, soit 16 de plus que l'an dernier, 23 avaient trait au service au public : annonces qui n'avaient pas été publiées dans la presse minoritaire, prescriptions contractuelles unilingues, services de cafétéria dans une seule langue et gardes de sécurité ne parlant que l'anglais. L'une des plaintes mettant en cause la langue de travail portait sur une séance d'information tenue en anglais seulement par un cadre supérieur, et une autre venait d'un ouvrier anglophone qui avait été affecté à une équipe de langue française.

Vérificateur général*

La relance amorcée l'an dernier au Bureau du Vérificateur général a progressé lentement en 1986. En effet, si le suivi que nous avons fait cette année a révélé qu'il avait pris certaines initiatives — notamment en ce qui concerne la disponibilité des documents de travail et des services centraux dans les deux langues — il tarde par contre à appliquer certaines recommandations de notre vérification de 1984. Ainsi, il n'a pas encore adopté comme prévu son nouveau programme et sa politique révisée des langues officielles. Le Bureau dispose d'une assez bonne capacité bilingue, mais il n'offre toujours pas activement ses services dans les deux langues aux ministères clients. Par ailleurs, l'unilinguisme de plusieurs surveillants nuit à un usage plus équitable du français dans le milieu de travail. Les deux groupes linguistiques sont bien représentés dans toutes les catégories d'emploi, à l'exception de celle de la Gestion qui ne compte pas suffisamment de francophones.

Un des bons points à souligner est que plus de 60 p. 100 des postes du Bureau (375 sur 620) exigent la connaissance des deux langues et que 93 p. 100 d'entre eux sont occupés par des titulaires qualifiés. Le Bureau s'efforce de former des équipes distinctes de vérification dans l'une ou l'autre langue, en tenant compte

de la composition linguistique des ministères clients. Il accepte le principe que chaque équipe devrait néanmoins être en mesure de communiquer dans la langue qui convient à chacun de ses interlocuteurs dans le cadre de ses vérifications. Cependant, il n'est pas rare que le personnel du Bureau ne tienne pas compte de la préférence linguistique des représentants ministériels avec qui il communique. Ainsi, les entrevues avec les gestionnaires des ministères se déroulent souvent dans la langue du vérificateur plutôt que dans celle des intéressés. Le bureau de Halifax, qui effectue des vérifications au Nouveau-Brunswick (province bilingue par excellence), compte maintenant un vérificateur bilingue sur 12, ce qui est encore bien insuffisant. Le Bureau du Vérificateur général n'a pas accepté notre recommandation de soumettre ses rapports préliminaires dans les deux langues aux ministères. Il considère que la traduction et la révision de ces documents demanderaient trop de ressources. Nous continuons d'estimer que ces rapports devraient être traduits, parce qu'ils constituent d'importants documents de travail pour les fonctionnaires des deux groupes ; le Bureau pourrait tout au moins le faire dans le cadre d'un projet pilote, en commençant par les rapports les moins complexes.

Quelques progrès ont été réalisés sur le plan de la langue de travail. On a rappelé aux surveillants qu'ils devaient préparer les appréciations du rendement dans la langue d'élection de leurs employés. La capacité bilingue de la Direction des méthodes professionnelles et de la Section de la rémunération s'est accrue. Les guides et les bulletins de vérification sont disponibles dans les deux langues, à l'exception de certains guides utilisés au sein du Groupe de vérification informatique. Une initiative de la Direction des systèmes informatiques vaut d'être soulignée : on a mis au point un logiciel bilingue pour la vérification financière, qui est utilisé autant par le personnel du Bureau que par les firmes de comptables. Il arrive par ailleurs qu'on soumette au bureau de Montréal des mandats de vérification en anglais ; une telle pratique ne devrait plus exister depuis longtemps. Des lacunes importantes persistent également sur le plan de l'encadrement. Près du tiers des postes de gestionnaires, de directeurs et de directeurs principaux (44 sur 139), qui comportent normalement des fonctions de surveillance, sont unilingues. D'autre part, certains vérificateurs sont appelés à encadrer des équipes de vérification ; or le Bureau n'a établi aucun critère quant aux compétences linguistiques nécessaires dans ces circonstances, et plusieurs vérificateurs francophones ne bénéficient pas d'un encadrement dans leur langue.

La participation des deux groupes linguistiques est assez bien équilibrée, que ce soit globalement ou dans la plupart des catégories d'emploi. Les anglophones comptent pour les deux tiers des 620 employés et les francophones pour l'autre tiers.

Grâce à ses efforts soutenus en matière de recrutement, le Bureau dispose d'une bonne proportion de francophones (36 p. 100) dans la catégorie Scientifiques et spécialistes (vérificateurs). Par contre, malgré une légère hausse par rapport à

l'an dernier, les francophones demeurent sous-représentés dans la catégorie Gestion où ils ne forment que 17 p. 100 du personnel (33 sur 192).

Comme par le passé, la haute direction du Bureau estime importante la question des langues officielles ; elle devra toutefois y sensibiliser ses cadres bien davantage. Nous espérons que son programme sur les langues officielles, qui doit être approuvé sous peu, contiendra des mesures pour accroître la responsabilité des gestionnaires en cette matière, notamment en leur fixant des objectifs précis et en prévoyant clairement qu'on tiendra compte de leurs réalisations à cet égard dans les appréciations du rendement. La mise en place de mesures de contrôle plus officielles permettrait par ailleurs à la haute direction d'évaluer plus précisément les progrès accomplis. Soulignons enfin l'heureuse initiative du Bureau d'inclure une section sur les langues officielles dans le programme d'orientation des nouveaux employés.

Le Bureau n'a fait l'objet d'aucune plainte en 1986.

Via Rail

Via Rail Canada Inc. a poursuivi en 1986 la mise en œuvre du programme qu'elle s'est fixé il y a quelques années en matière de langues officielles. Cependant, malgré certains efforts pour recruter du personnel bilingue, l'absence de dispositions linguistiques dans les conventions collectives demeure la pierre d'achoppement du service bilingue aux voyageurs. En outre, la Société n'est pas parvenue à faire du français une langue de travail au même titre que l'anglais à son siège social à Montréal ni dans ses établissements au Nouveau-Brunswick.

Parmi les réalisations sur le plan du service au public, notons que Via Rail a évalué cette année les compétences linguistiques de ses préposés à bord des trains. De plus, la publication d'annonces dans les journaux de langue officielle minoritaire fait maintenant partie intégrante de ses campagnes publicitaires ; à la suite des plaintes reçues, la Société a en effet resserré ses contrôles à ce sujet.

Dans le domaine de l'écrit, qu'il s'agisse de dépliants, de correspondance ou de panneaux d'affichage, le public est assuré d'être informé dans sa langue. Il en va de même pour les communications avec les centres de renseignements et de réservations téléphoniques, qui offrent un accueil bilingue. Par contre, il n'y a qu'au Québec que les voyageurs peuvent s'attendre d'une façon générale à recevoir des préposés dans les gares et à bord des trains un service de qualité égale en français et en anglais ; ailleurs, même au Nouveau-Brunswick, un voyageur francophone peut remercier le hasard s'il reçoit un service dans sa langue ou si on lui offre de le diriger vers un collègue bilingue. L'expérience d'un passager qui effectua à deux reprises, en mai 1986, le trajet Toronto-Montréal est particulièrement navrante : ayant demandé dans les deux cas au préposé aux annonces de donner ses messages en français, il se fit éconduire chaque fois de façon fort cavalière.

En l'absence de dispositions d'ordre linguistique dans les conventions collectives liant Via Rail à la Fraternité canadienne des cheminots, employés des transports et autres ouvriers, l'affectation et la répartition des employés dans les gares et à bord des trains se font toujours sans égard au droit des passagers d'être servis dans leur langue officielle d'élection. De plus, le comité paritaire mis sur pied lors des dernières négociations afin d'élaborer « des recommandations mutuellement satisfaisantes pour améliorer le bilinguisme des employés en contact direct avec la clientèle et le public » ne s'est pas réuni une seule fois. Il est tout à fait inacceptable qu'une telle situation perdure 17 ans après la promulgation de la *Loi sur les langues officielles*. En cas d'accident, l'absence ou le nombre insuffisant de préposés bilingues pourrait même compromettre la sécurité des voyageurs. Nous demandons donc à toutes les parties en cause de reconnaître enfin, cette année, les droits des voyageurs, et de pourvoir à leurs besoins linguistiques.

Au chapitre de la langue de travail, les cours internes ainsi que les instruments de travail (y compris les systèmes informatisés qui comptent de nombreux utilisateurs) sont habituellement disponibles dans les deux langues. Cependant, les ébauches de documents qui circulent afin de recueillir les commentaires des intéressés ne sont généralement rédigées qu'en anglais. Que des ébauches soient unilingues n'est pas inacceptable en soi, mais elles devraient pouvoir l'être aussi en français. Le texte anglais définitif des instruments de travail est souvent disponible avant la version française. De plus, tant à l'administration centrale qu'à Via Atlantique, le français ne jouit pas de l'égalité avec l'anglais en matière d'encadrement, de réunions et d'évaluation du rendement. On tarde même à reconnaître officiellement le droit de tout employé de recevoir son évaluation du rendement dans sa langue officielle d'élection.

Via Rail compte 4 366 employés, dont 33 p. 100 sont francophones. (Ces données n'incluent pas les 1 500 employés des centres d'entretien venus du CN.) Le taux de participation des francophones parmi les employés affectés aux trains n'est que de 23,4 p. 100, alors qu'il est de 31,3 p. 100 chez le personnel syndiqué hors des trains (gares et centres de réservations téléphoniques). Notons également que 26,7 p. 100 des membres de la haute direction, 34,8 p. 100 des cadres supérieurs, 41,9 p. 100 des cadres intermédiaires et 60,9 p. 100 du personnel du Soutien administratif (39 sur 64) sont francophones. On compte 62 francophones à Via Ontario (5,9 p. 100 de l'effectif), 36 à Via Ouest (3,6 p. 100) et 138 à Via Atlantique (31,2 p. 100). Au Québec, la Société emploie 653 anglophones, ce qui représente 35,2 p. 100 de l'effectif.

Du côté gestion et responsabilité, seuls les cadres des échelons supérieurs sont évalués quant à la réalisation de leurs objectifs linguistiques. Via Rail aurait avantage à tenir compte du programme des langues officielles dans l'évaluation du rendement de tous les cadres, et à incorporer un volet linguistique à toutes ses vérifications internes.

En 1986, nous avons reçu 36 plaintes contre Via Rail, comparativement à 30 l'an dernier. Vingt-huit d'entre elles étaient reliées à l'absence de service en français dans les gares et à bord des trains (13 mettaient en cause des employés du CN préposés au contrôle des billets et aux annonces). Une bonne collaboration de la Société nous a permis de régler rapidement les plaintes provoquées par des problèmes matériels; mais les plaintes impliquant des préposés au service ferroviaire reçoivent rarement une solution satisfaisante.

PARTIE IV

Les minorités : Du mouvement S.V.P.

La chronique minoritaire : de la coupe aux lèvres

L'année 1986 a été fertile en événements sur le plan linguistique dans chacune des provinces et dans les territoires du Canada. Après avoir examiné certains dossiers clés et exposé les réalisations des principaux porte-parole de nos minorités nationales, nous présentons un bref survol, province par province, des principaux dossiers juridiques, éducatifs, institutionnels et communautaires qui ont défrayé la chronique. L'évolution récente de la jurisprudence en matière de droits linguistiques est analysée en profondeur à la partie I (voir Les droits linguistiques*). D'autre part, le lecteur trouvera au chapitre suivant un commentaire sur les attentes des minorités de langue officielle en matière de télédiffusion. Enfin, la question de l'accès, à l'extérieur du Québec, à un enseignement en français au postsecondaire est abordée plus loin dans la partie V portant sur l'éducation.*

En février 1986, les présidents de la Fédération des Francophones hors Québec (FFHQ), d'Alliance Québec et de la Société nationale des Acadiens, ainsi que d'autres représentants des groupes minoritaires, ont comparu devant le Comité mixte permanent des langues officielles afin de faire valoir leurs revendications. Dans la foulée de notre colloque d'octobre 1985, « Les minorités : le temps des solutions », qui visait à tracer les nouvelles voies de la relance, ils ont convié le gouvernement fédéral à manifester clairement ses intentions en ce qui a trait à la réforme de notre régime linguistique. Essentiellement, ils souhaitent que le fédéral, les provinces et les autres intéressés accordent plus d'importance à la mise en œuvre de l'égalité linguistique consacrée par la Constitution et qu'ils s'entendent sur un projet national précis visant à assurer la reconnaissance et le respect des droits linguistiques des communautés minoritaires partout au Canada, notamment en matière d'enseignement, de justice et de services gouvernementaux. Les minorités savent manifestement ce qu'elles veulent ; ce sont les signataires de la *Charte canadienne des droits et libertés* qui semblent parfois oublier que leurs engagements comportaient des obligations nettes et claires.

Le droit à l'enseignement

Les données démographiques du recensement quinquennal de 1986 viendront sans doute confirmer que l'assimilation continue de miner la plupart des communautés francophones hors du Québec et que le facteur migratoire joue probablement un

rôle similaire dans le cas des Québécois anglophones. De toute évidence, il est de plus en plus urgent que les pouvoirs publics et les autres intéressés agissent de concert pour appuyer nos minorités linguistiques et ainsi sauvegarder notre pluralisme culturel. Prenons à titre d'exemple la mise en œuvre de l'article 23 de la Charte qui établit le droit des minorités de langue officielle à l'enseignement dans leur langue. C'est là un élément crucial pour la protection de nos minorités ; en fait, s'il est une disposition constitutionnelle qui doive recevoir une interprétation large et généreuse, c'est bien celle-là. Pourtant, l'étude du professeur Foucher[1], que nous avons commentée dans notre Rapport annuel de 1985, établissait que la plupart des lois provinciales en matière d'enseignement ne répondent pas aux exigences de la Charte. Or à l'extérieur du Québec, de l'Ontario et du Nouveau-Brunswick, la situation n'a guère évolué en 1986.

L'article 23 de la Charte n'a pas été conçu pour confirmer le statu quo, mais bien pour réparer les torts causés aux minorités dans le passé en leur garantissant le droit à l'enseignement, le droit à des écoles et le droit des parents de participer à la gestion de ces écoles. Bref, on a promis à nos minorités de langue officielle les droits dont la majorité avait toujours joui sans problème. On aurait donc pu s'attendre à un accroissement du nombre d'écoles de langue française et de leurs effectifs. Or, il n'en est rien. Très peu de nouvelles écoles françaises ont été créées, et la population scolaire de langue minoritaire ne cesse de chuter. Entre-temps, les minorités cherchent justice et vont d'un tribunal à un autre. Il est grand temps, nous semble-t-il, de mettre un terme à ce triste état de choses.

Cette année, les diverses associations minoritaires provinciales et territoriales, ainsi que la FFHQ, ont multiplié les initiatives concertées visant à assurer le plein exercice des droits scolaires reconnus dans la Charte. Leurs interventions ont pris plusieurs formes : groupes de travail, discours, rencontres avec des personnalités politiques provinciales et nationales, contacts avec les médias, etc. Elles avaient pour but de sensibiliser le public canadien et ses dirigeants à la gravité de la situation des francophones hors du Québec sur le plan scolaire et de les inciter à apporter sans retard des solutions concrètes.

Lors d'un colloque national sur l'article 23, en novembre, la Commission nationale des parents francophones (CNPF) a convié le gouvernement fédéral et les provinces à travailler de concert. En particulier, elle a demandé au Secrétariat d'État et au Conseil des ministres de l'Éducation d'entreprendre une étude conjointe sur les mesures législatives et administratives susceptibles d'assurer la mise en application des dispositions de la Charte en cette matière. Le Commissaire appuie cette suggestion de tout cœur ; il s'est d'ailleurs associé à la CNPF et à d'autres associations pour promouvoir une telle recherche.

Le Secrétariat d'État, pour sa part, semble enfin prêt à annoncer ses couleurs. Nous lui recommandons de faire tout en son possible pour aider les provinces à répondre à la demande, tant sur le plan de l'infrastructure que sur celui des

[1] Pierre Foucher, *Les droits scolaires constitutionnels des minorités de langue officielle du Canada.*

ressources humaines et pédagogiques. Même en période de compressions budgétaires, le gouvernement fédéral ne peut se permettre de ne pas tenir compte des besoins criants en matière d'enseignement en langue minoritaire ; c'est une question de justice fondamentale et de bonne foi. Notons à cet égard que les ententes conclues avec les provinces et visant la promotion des langues officielles dans l'enseignement prennent fin en 1988. Leur renégociation prochaine permettra au gouvernement fédéral de discuter de nouvelles initiatives propres à assurer le respect intégral de l'article 23 de la Charte.

La langue des tribunaux

Faisant appel à la notion d'égalité devant la loi, consacrée à l'article 15 de la Charte, plusieurs associations minoritaires ont fait grief aux pouvoirs publics de ne pas avoir mis en vigueur la partie XIV (1) du *Code criminel* qui donne le droit à un accusé de comparaître devant un juge, ou devant un juge et un jury, qui parlent sa langue. Cette disposition ne s'applique encore que dans les territoires et dans trois provinces (Manitoba, Ontario et Nouveau-Brunswick), car les anciennes dispositions prévoyant des jurys bilingues continuent de s'appliquer au Québec. Aussi avons-nous été satisfaits d'apprendre que les gouvernements provinciaux avaient accepté en février dernier d'engager des discussions en vue d'assurer le respect de cette partie du Code dans les domaines de leur juridiction dès 1987. Le ministre fédéral de la Justice a d'ailleurs annoncé en décembre que cette disposition entrerait en vigueur à l'Île-du-Prince-Édouard en septembre 1987. Il entend également apporter des modifications au *Code criminel*, et sans doute à la *Loi sur les langues officielles*, afin de définir plus clairement les droits et obligations de chacun dans ce domaine.

Les services essentiels

Depuis bien des années déjà, le Québec, l'Ontario et le Nouveau-Brunswick offrent ou cherchent à offrir une gamme complète de services sociaux et de santé à leurs minorités provinciales et s'activent à les améliorer. Sans être liées par des obligations juridiques à cet égard, les autres provinces canadiennes reconnaissent que la prestation de tels services intéresse vivement leurs concitoyens francophones, et s'interrogent sur ce qui pourrait être fait. Les initiatives dans ce domaine, qui vont des inventaires du personnel bilingue disponible à l'érection de quelques panneaux bilingues dans certaines localités, en passant par l'élaboration de lignes de conduite et de plans de prestation de services en langue française, laissent entrevoir l'éventualité de progrès plus importants. Toutefois, pour bien des administrateurs provinciaux, l'objectif de dispenser même des services limités aux citoyens dans la langue officielle de leur choix demeure un vrai casse-tête. Ou serait-ce que le plus grand obstacle à la réalisation de réformes pratiques est l'idée trop compliquée que les gouvernements et les administrateurs s'en font ? Le gouvernement fédéral n'a du reste pas toujours fourni ni l'exemple ni l'appui coordonné et substantiel nécessaires. Beaucoup d'espoir serait permis s'il se décidait enfin à le faire.

Au moment où la réforme de notre régime linguistique semble de plus en plus correspondre à une volonté populaire authentique, le gouvernement fédéral a laissé entendre qu'il serait disposé à mettre au point des mécanismes de collaboration

fédérale-provinciale qui favoriseraient la prestation dans la langue de la minorité d'une gamme de services essentiels, tels les services sociaux et de santé. Les entretiens que le Commissaire a eus avec des députés et des ministres provinciaux lui permettent d'ailleurs de croire que certains d'entre eux seraient prêts à souscrire à un plan bien articulé et réalisable. Il faut également souligner les efforts consentis par certains organismes minoritaires pour resserrer les liens avec la communauté majoritaire en établissant des groupes dits de « concertaction », dont l'objectif est de favoriser l'adoption de mécanismes susceptibles d'améliorer les services dispensés à la minorité. Dans l'Estrie, un tel groupe a pu établir avec les représentants de la Commission de l'emploi et de l'immigration des procédures visant à faciliter l'accès des jeunes travailleurs anglophones à des emplois dans la région. Des projets semblables sont en cours de réalisation ailleurs au Canada et nous en ferons état l'année prochaine.

La FFHQ

En mai dernier, le président de la Fédération des Francophones hors Québec, M. Gilles Le Blanc (qui a quitté ce poste depuis), adressait une lettre ouverte au Premier ministre du Canada dans laquelle il soulignait que la réforme du régime linguistique devait « être vigoureusement poursuivie et renforcée » et que le gouvernement fédéral avait un rôle de premier plan à jouer dans le maintien et l'épanouissement des communautés francophones hors du Québec. Il déplorait en particulier les coupures dans les subventions que le Secrétariat d'État accorde aux associations minoritaires ainsi que le manque d'équité dans la répartition des budgets fédéraux consacrés à l'enseignement en langue minoritaire. Au nom de la FFHQ, M. Le Blanc adressait deux requêtes au Premier ministre et à son gouvernement : « Premièrement, des modifications en profondeur au régime linguistique, pour fournir à la réforme les fondements dont elle a besoin pour assurer à nos communautés un avenir prometteur et à notre pays, une cohésion nationale ; deuxièmement, [...] des décisions [...] qui sauront être à la hauteur de vos engagements en ce qui concerne les langues officielles. »

Tout au long de l'année, la FFHQ a poursuivi ses efforts en vue d'amener le gouvernement fédéral à concrétiser son engagement envers la réconciliation nationale en réalisant une réforme en profondeur de notre régime linguistique. Elle a notamment proposé une série de modifications à la *Loi sur les langues officielles* visant essentiellement à la rendre plus coercitive. Ce ne sont pas les suggestions novatrices qui font défaut.

Hélas, en 1986, les associations minoritaires ont eu l'impression, apparemment bien fondée, de ne pas avoir été véritablement consultées sur des questions qui les touchent au premier chef, par exemple les coupures dans les subventions. En effet, le gouvernement fédéral, et le Secrétariat d'État en particulier, promettent plus mais donnent moins. Il nous semble essentiel que ce dernier rétablisse et augmente selon les besoins l'aide qu'il accorde à ces associations, tout comme on le fait dans certains autres secteurs clés.

Après plus de dix ans d'existence, la FFHQ a décidé de procéder à une révision en profondeur de ses statuts et de son organisation. Entre autres, le conseil

d'administration a été remplacé par un conseil national des présidents et on a opté pour une présidence bénévole. Cette réorganisation visait essentiellement à rapprocher les communautés francophones canadiennes.

L'aide québécoise

Les minorités francophones hors du Québec ont reçu un meilleur appui du nouveau gouvernement du Québec. En effet, lors d'un colloque au mont Gabriel, en mai, le ministre québécois des Relations intergouvernementales, M. Gil Rémillard, indiquait que l'amélioration de la condition des francophones hors du Québec constituerait l'un des objectifs principaux du gouvernement du Québec lors des prochaines négociations constitutionnelles. Selon le ministre, un des éléments clés de la protection de ces minorités est le respect des garanties constitutionnelles en matière d'éducation. Cette ouverture du Québec envers les autres communautés francophones du Canada n'est pas que philosophique et politique : elle prend aussi une forme bien concrète. A titre d'exemple, le gouvernement annonçait en octobre dernier qu'il accorderait une subvention de 75 000 $ à l'Association canadienne-française de l'Ontario et une autre de 20 000 $ aux organisateurs du Festival franco-ontarien, manifestation qui se tient chaque année dans la Capitale nationale.

Pour sa part, le gouvernement canadien a reconnu l'importance des communautés francophones hors du Québec en invitant des représentants de leurs associations à se joindre à la délégation canadienne au premier Sommet de la francophonie qui s'est tenu à Paris en février dernier. Il renouvellera sans doute son geste lors du prochain Sommet qui se déroulera à Québec en septembre 1987. Il s'agit bien sûr d'un geste symbolique, mais il faut espérer que le gouvernement fédéral saura d'ici là passer de la parole aux actes, afin de pouvoir s'y présenter la tête haute comme protecteur efficace de nos minorités. Enfin, soulignons que le gouvernement du Canada s'apprêtait à la fin de 1986 à consulter la FFHQ et Alliance Québec sur la nouvelle *Loi sur les langues officielles*.

Alliance Québec

En plus de ses nombreuses initiatives sur la scène provinciale, Alliance Québec s'est dotée d'une politique en cinq points visant à promouvoir la dualité linguistique au Canada : 1) maintenir ses relations avec les associations francophones hors du Québec ; 2) lutter pour la reconnaissance des droits linguistiques fondamentaux partout au Canada ; 3) favoriser une meilleure entente entre les communautés linguistiques majoritaires et minoritaires ; 4) mettre sur pied, de concert avec les organismes francophones hors du Québec, des programmes de promotion et d'information sur les fondements des droits en matière de langues officielles et d'égalité linguistique ; et 5) sensibiliser le public canadien à la dimension multiculturelle des deux communautés de langue officielle et au caractère complémentaire du bilinguisme et du multiculturalisme. Tout comme la FFHQ, Alliance Québec a multiplié cette année les rencontres avec les personnalités politiques afin de faire valoir l'urgence d'une révision en profondeur des programmes de langues officielles. Fidèle à sa parole, l'Association s'est également portée à la défense des minorités hors du Québec, notamment dans l'affaire de l'école Bugnet en Alberta.

L'action du Commissaire

Le Commissaire se déplace fréquemment afin d'évaluer de près les besoins des minorités de langue officielle et de prendre contact avec leurs associations, avec les fonctionnaires fédéraux qui les servent et avec les personnalités politiques qui les représentent. Cette année, il s'est rendu dans sept provinces : la Colombie-Britannique, le Manitoba, l'Ontario, le Québec, le Nouveau-Brunswick, la Nouvelle-Écosse et l'Île-du-Prince-Édouard. Ces visites avaient pour but notamment d'établir ou de poursuivre le dialogue avec les premiers ministres des provinces, les membres de leur cabinet et les hauts fonctionnaires, d'échanger informations et impressions sur la situation des communautés minoritaires et de visiter certaines localités présentant un intérêt particulier. Dans chaque cas, le Commissaire a pu faire valoir à ses interlocuteurs les revendications des minorités et en discuter avec eux, en insistant particulièrement sur la nécessité de contacts plus suivis entre les communautés et leur gouvernement. Ces rapports directs constituent un complément qui prolonge et valorise l'indispensable travail accompli par le personnel de nos bureaux régionaux. (Voir en annexe A une description plus complète du rôle du Commissariat.)

L'Ouest

Lors du sixième colloque annuel du Centre d'études franco-canadiennes de l'Ouest, qui s'est tenu en octobre dernier à Vancouver sous le thème « Les outils de la francophonie », les participants ont fait état de plusieurs réalisations dans le domaine de l'enseignement du français et de l'histoire des communautés francophones de l'Ouest. Au Forum de la francophonie, en septembre, France Levasseur-Ouimet, de la faculté Saint-Jean de l'Université de l'Alberta, s'est employée pour sa part à stimuler les troupes francophones en évoquant avec éloquence leurs luttes victorieuses : « Mais voyez donc plutôt tout ce que vous avez créé, tout ce que vous avez construit, tout ce que vous avez bâti, vous les membres de ma génération. Songez à tout ce que vous avez réussi depuis cinq ans et cela en dépit de combien d'obstacles. Voyez tout ce que vous avez fait croître et grandir. » Bref, si l'année écoulée a été marquée par diverses batailles contre les obstacles de toutes sortes auxquels doivent faire face les communautés francophones de l'Ouest, ces dernières ont démontré encore une fois une force morale et une ténacité exemplaires.

Les lois unilingues du **Manitoba** n'ont pas fini de défrayer la chronique même si leur traduction va bon train — on prévoit qu'elle sera terminée d'ici 1990. En effet, en mai 1986, la Cour suprême du Canada a rendu son jugement dans l'affaire Bilodeau, qui avait été entendue en juin 1984. Cette cause, rappelons-le, avait trait au refus de tenir en français un procès relatif à une contravention. L'affaire fut portée en appel, avec l'intention de faire déclarer invalides les lois et autres documents juridiques de la province, du fait qu'ils n'avaient pas été publiés dans les deux langues officielles, conformément aux dispositions de l'article 23 de la *Loi de 1870 sur le Manitoba*. La Cour a confirmé le statut bilingue de la province, tant sur le plan législatif que judiciaire, et a réaffirmé l'obligation

de traduire toutes les lois. Entre-temps, les lois unilingues demeurent toutefois opérantes — l'accusé a donc dû payer l'amende.

Un autre automobiliste récalcitrant *(Terence Waite c. Registrar of Motor Vehicles)* a contesté la validité du processus d'adoption des lois manitobaines, alléguant que le texte français du *Code de la route* n'avait pas été publié en même temps que le texte anglais, et que les archives, procès-verbaux et journaux de l'Assemblée législative ne paraissaient qu'en anglais. La Cour du Banc de la reine a conclu qu'il y avait eu violation de la Constitution dans les deux cas, mais a sauvé la mise en invoquant le principe du « respect quant à l'essentiel ». Les automobilistes n'ont décidément pas de veine... ou serait-ce que le char de l'État jouit de la priorité ? Toujours est-il que les tribunaux semblent très réticents à l'idée d'invalider des lois du simple fait que les procédures de publication dans les deux langues n'ont pas été respectées.

Enfin, en mai 1986, la Cour suprême du Canada a rejeté la demande d'autorisation d'appel dans l'affaire *Robin c. Collège de Saint-Boniface*, qui portait sur le droit d'un prévenu d'être entendu dans sa langue. Il s'agissait en l'occurrence d'un procès pour bris de contrat ; tous les intéressés, témoins et avocats, étaient francophones et toute la documentation relative au procès avait été déposée en français. Or le juge chargé d'entendre la cause était de langue anglaise et ne pouvait suivre les débats sans l'aide d'un interprète. L'avocat du défendeur avait demandé au tribunal de désigner un autre juge qui puisse suivre le déroulement de la cause en français, mais cette requête fut rejetée. La Cour suprême n'a pas expliqué les raisons de son refus.

Par ailleurs, les parents franco-manitobains ont eu maille à partir avec les autorités provinciales au sujet de la gestion de leurs établissements scolaires. Le gouvernement avait annoncé en octobre 1985 la création d'un groupe d'étude sur les droits de la minorité en matière d'enseignement, mais il semble que celui-ci ait quelque peu changé de mandat en cours de route. Bien que la *Loi scolaire* de la province garantisse aux francophones un certain accès à l'enseignement en français, elle ne résoud pas entièrement la question de la gratuité du transport scolaire, qui est pourtant cruciale pour les petites communautés isolées. Ainsi, la Cour d'appel a renversé un jugement de première instance, favorable aux parents de Thompson, qui obligeait le district scolaire de Mystery Lake à assumer les frais de transport des élèves en classes d'immersion habitant à plus d'un mille de leur école. Étant donné que, dans plusieurs localités du Manitoba, les enfants francophones n'ont d'autre choix pour l'instant que de fréquenter les classes d'immersion, cette décision a pour effet de mettre ces enfants à la merci des autorités scolaires de la majorité.

La Société franco-manitobaine, pour sa part, réclame depuis quelque temps déjà que l'on regroupe les écoles de langue française et que l'on distingue l'enseignement en français de l'enseignement immersif. De son côté, la Fédération provinciale des comités de parents, lasse des palabres, a intenté une action contre

le gouvernement, en septembre dernier, en vue de faire respecter dans leur intégrité les dispositions de l'article 23 de la Charte. On ne sait trop comment interpréter l'immobilisme des autorités provinciales en cette matière, mais, chose certaine, une contestation judiciaire risque de raviver les antagonismes sans pour autant apporter de véritable solution à des problèmes qui exigent avant tout de l'ouverture, voire de la générosité.

La Société franco-manitobaine s'emploie également avec détermination à faire avancer le dossier des services municipaux et provinciaux en français. Les résultats d'un sondage sur cette question, qu'elle a rendus publics au printemps dernier, semblent encourageants. En décembre, le premier ministre de la province, M. Howard Pawley, répondait favorablement à l'invitation de la Société de discuter de la question des services provinciaux en indiquant que chaque ministère devra présenter dans les six prochains mois un plan portant sur la mise en œuvre de la politique cadre de 1982 sur les services en langue française.

C'est avec une grande tristesse que les francophones de la **Saskatchewan** apprenaient le 29 avril 1986 le décès d'un de leurs grands défenseurs, le père André Mercure. On se souviendra qu'en exigeant un procès en français, par suite d'une contravention relative au *Code de la route* en 1981, celui-ci avait provoqué une vive controverse juridique : il s'agissait d'établir si l'article 110 de la *Loi sur les territoires du Nord-Ouest* de 1891 s'appliquait toujours dans la province. La Cour d'appel avait d'abord statué, en octobre 1985, que cet article était bel et bien en vigueur, mais n'avait pas précisé sa portée. Ayant obtenu le statut d'intervenants en substitution au père Mercure, l'Association culturelle franco-canadienne de la Saskatchewan, la FFHQ et l'Association canadienne-française de l'Alberta ont pu porter l'affaire devant la Cour suprême du Canada, où la cause a été entendue en novembre. On attend avec impatience la décision de celle-ci.

Deux autres décisions judiciaires sont également attendues : d'abord, la Cour d'appel de la Saskatchewan doit rendre un avis concernant le renvoi que lui soumettait l'an dernier le gouvernement provincial ; celui-ci voulait connaître ses obligations, en vertu de l'article 110, quant au droit d'un inculpé d'être jugé dans sa langue officielle d'élection[1]. Ensuite, la Commission des écoles fransaskoises et 11 autres demandeurs ont déposé une requête en jugement déclaratoire devant la Cour du Banc de la reine, afin de faire reconnaître le droit des Fransaskois à la gestion de leurs écoles, contestant ainsi la constitutionnalité de la *Loi scolaire*.

Tout comme ceux de la Saskatchewan, les juges de l'**Alberta** se sont penchés sur la portée actuelle de l'article 110. En effet, la Cour d'appel de cette province a rendu sa décision en novembre dans l'affaire Lefebvre. Par un jugement majoritaire, elle a statué que l'article 110 ne faisait pas partie intégrante de la constitution des Territoires, en ce sens qu'il n'avait pas le même effet que

[1] La Cour du Banc de la reine avait d'abord confirmé, en juin 1985, le droit d'un accusé francophone d'utiliser sa langue au cours d'un procès.

l'article 133 de la *Loi constitutionnelle de 1867*. Comme on le devine, ce chapitre de notre histoire linguistique n'est pas encore clos : l'affaire a été portée en appel. On se souviendra qu'en juillet 1985, dans l'affaire Paquette, le juge Sinclair de la Cour du Banc de la reine de l'Alberta, avait reconnu le droit d'un intimé francophone, en vertu de l'article 110, d'utiliser sa langue devant un juge qui la comprenne. La province avait par la suite demandé un avis à cette même Cour sur la question des jurys bilingues ; l'affaire est toujours en délibéré. Entre-temps, un premier procès en français s'est déroulé au mois de mai à Vermilion et un deuxième en août à Red Deer, non sans poser quelques problèmes de traduction En octobre dernier, à Edmonton, un inculpé a surpris la Cour du Banc de la reine en demandant à la dernière minute que son procès se déroule en français. Les procédures ont été ajournées en attendant que la question de fond soit réglée. Enfin, en juin dernier, M. Léo Piquette, député francophone et ancien président de l'Association canadienne-française de l'Alberta, région de Plamondon, a invoqué ce même article 110 pour prendre la parole en français à l'Assemblée législative albertaine.

La communauté franco-albertaine a par ailleurs relancé le débat sur son droit de gérer ses écoles en portant en appel la décision du juge Purvis, de la Cour du Banc de la reine, relativement à l'école Georges-et-Julia-Bugnet. Le magistrat avait reconnu que la *Loi scolaire* de l'Alberta ne respectait pas les dispositions de l'article 23 de la Charte en ce qu'elle n'accordait pas aux parents francophones des droits suffisants en matière de gestion de leurs établissements scolaires ; il avait toutefois évité de se prononcer sur la portée exacte de ce droit. Forte de l'appui de nombreux intéressés, dont le Commissariat aux langues officielles et Alliance Québec, l'association des parents a fait valoir devant la Cour d'appel de l'Alberta qu'en vertu de l'article 23, les parents francophones devraient disposer des moyens nécessaires pour assurer à leurs enfants un enseignement de qualité égale à celui dispensé en anglais. Dans son intervention, le procureur du Commissaire a souligné la nature réparatrice de l'article 23 et l'importance de trouver des solutions pratiques plutôt que de se dépenser en querelles juridiques stériles, qui trahissent l'esprit même de la Constitution. L'affaire est en délibéré.

Le Conseil des écoles catholiques d'Edmonton a cherché à calmer les tensions suscitées par un débat sur le caractère français de l'école secondaire J.-H.-Picard, laquelle accueille à la fois des élèves anglophones en immersion et des élèves francophones. Après bien des tergiversations, le Conseil s'est rendu aux arguments des parents francophones et a tranché la question en proposant de regrouper les élèves francophones dans un même programme et de prendre des mesures administratives afin de favoriser les communications en français. En outre, une solution à long terme semble se dessiner : il est question d'établir une école secondaire pour les élèves anglophones en immersion.

Les parents francophones de Calgary, pour leur part, réclament la création d'une école secondaire de langue française. Pour l'instant, plusieurs se voient dans l'obligation d'inscrire leurs enfants au Collège Mathieu à Gravelbourg, en

Saskatchewan. Bien que le Conseil scolaire catholique de la ville verse une somme d'environ 5 000 $ pour chacun de ces élèves, les parents doivent néanmoins débourser une somme additionnelle de quelque 2 000 $. Il va sans dire que certains parents n'ont d'autre choix que d'inscrire leurs enfants à l'école anglaise. Il est pourtant loin d'être évident qu'on ait épuisé tous les moyens pour assurer sur place l'enseignement en français.

Plusieurs procès ont été intentés en vue de contraindre des conseils scolaires albertains à assumer les frais de transport des élèves (*Anderson c. Calgary School Board ; St-Thomas Parents Advisory Society c. Attorney General of Alberta* et *Molgat c. Lacombe School Board*). Bien que ces causes visent tantôt des élèves de l'enseignement immersif (lequel constitue souvent un pis-aller pour les enfants francophones) et tantôt des élèves d'une école française, le fond du problème demeure le même. A quoi sert une école si l'élève ne peut s'y rendre ? Il faudrait manifestement donner une interprétation plus large aux dispositions de l'article 23 de la Charte, afin qu'il produise les effets voulus.

Enfin, soulignons que l'Association canadienne-française de l'Alberta (ACFA) célébrait cette année son soixantième anniversaire... soixante années de lutte ! Comme le soulignait un éditorialiste : « Si l'ACFA n'avait pas existé, peu de gens seraient encore capables de se dire francophones aujourd'hui en Alberta[1]. »

En octobre, la Cour d'appel de la **Colombie-Britannique** a statué que les droits linguistiques de la minorité francophone ne comprenaient pas celui de déposer des documents en français devant les tribunaux relevant de la province. La Fédération des Franco-Colombiens avait volontairement soulevé la question en soumettant un document rédigé presque entièrement en français dans un cas de poursuite pour licenciement arbitraire. La Cour d'appel a indiqué que les articles 16 à 22 de la *Charte canadienne des droits et libertés* n'empêchaient pas la Colombie-Britannique de prescrire l'utilisation de l'anglais dans les causes civiles. Par ailleurs, dans l'affaire Piché, à Kamloops, le tribunal sera appelé prochainement à réexaminer la question du statut du français, cette fois dans les procédures pénales.

A Victoria, l'école Victor-Brodeur, qui compte 240 élèves, est devenue dès son inauguration en mai 1986 la plus importante école de langue française en Colombie-Britannique. La création de cette école, qui comprend des classes allant de la maternelle à la septième année, constitue un bel exemple de ce qui peut être fait lorsque les divers intéressés — conseils scolaires, parents, élus municipaux, gouvernements fédéral et provincial — se concertent pour concrétiser le droit des francophones à un enseignement de qualité dans leur langue. Seule ombre au tableau : il est question d'adjoindre des classes immersives. On ne voit guère comment concilier une telle démarche avec l'objectif d'assurer aux francophones un milieu linguistiquement homogène.

[1] *Le Franco-Albertain*, 24 octobre 1985, p. 4.

Enfin, signalons qu'Expo 86 aura permis aux citoyens de la Colombie-Britannique d'accueillir dans les deux langues officielles — du moins dans une certaine mesure — des visiteurs venus de partout au Canada et de l'étranger. Il semble même qu'ils en aient tiré une certaine fierté.

L'année 1986 n'a rien eu de réjouissant sur le plan linguistique pour les francophones du **Yukon**. A la fin septembre, le juge Perry Meyer, de la Cour suprême du Yukon, rejetait l'appel dans l'affaire St-Jean. Par suite d'une contravention au *Code de la route*, M. St-Jean avait contesté l'unilinguisme des documents et des services en invoquant les dispositions pertinentes de la *Charte canadienne des droits et libertés*. La question en litige était de savoir si le gouvernement yukonnais était ou non une « institution » du Parlement canadien, et donc soumis au régime linguistique fédéral. Le juge Meyer a estimé que ce n'était pas le cas et que le statut du gouvernement territorial s'apparentait à celui d'une administration municipale ou d'une commission scolaire au Québec. Or, dans le cas des municipalités et des commissions scolaires québécoises, la Cour suprême du Canada avait statué (Blaikie II) que l'article 133 de la *Loi constitutionnelle de 1867* (et *a fortiori* les dispositions de la Charte) ne pouvait être invoqué. L'affaire sera portée en appel.

Entre-temps, le gouvernement fédéral et celui du Yukon s'efforcent toujours d'arriver à une entente sur la reconnaissance du français et de l'anglais comme langues officielles, ou tout au moins sur une reconnaissance de fait du français. On comprend aisément la frustration des Franco-Yukonnais, qui craignent de voir les promesses de services en français reléguées aux oubliettes. Le Commissaire a pris sur cette question la position suivante : le gouvernement fédéral doit veiller à ce que le statut du français soit reconnu au Yukon, tant sur le plan juridique qu'administratif, tout comme il l'a fait pour les Territoires du Nord-Ouest. Il doit aussi offrir au gouvernement du Yukon le soutien nécessaire pour réaliser les objectifs de la Charte en matière de langues officielles.

Soulignons au passage qu'en septembre dernier, le Centre français lançait à l'école secondaire F. H. Collins de Whitehorse un projet pilote d'enseignement en français. Des cours dans cette langue sont offerts aux étudiants francophones comme à ceux dont le français est la langue seconde. Cinq étudiants sont actuellement inscrits et on espère voir leur nombre augmenter au deuxième semestre.

Les francophones des **Territoires du Nord-Ouest** s'impatientent ; en juin, l'Association culturelle Franco-TéNOise dénonçait l'inaction des gouvernements fédéral et territorial relativement aux services en langue française. Et pour cause : on a reporté à 1990 la mise en œuvre du bilinguisme officiel. Le Secrétariat d'État a néanmoins versé une subvention de 211 000 $ cette année, entre autres, pour l'embauche d'un agent de projet, de deux traducteurs-interprètes et d'un employé de soutien. Certains services pourront donc être offerts en français dès maintenant.

Depuis plusieurs années, les provinces de l'Ouest ainsi que les territoires semblent hantés par les contraintes et les obligations linguistiques que l'histoire et la Constitution paraissent vouloir leur imposer. Pourtant, vu sous un autre angle, il y a dans les nombreux litiges en cours un vaste défi qui vaut la peine d'être relevé.

L'Ontario

L'Ontario a franchi cette année plusieurs étapes essentielles sur le chemin de la reconnaissance du français comme langue officielle. L'ensemble des mesures adoptées font que 1986 restera sans doute une année décisive dans l'histoire des Franco-Ontariens.

La Loi 8

C'est le 1er mai dernier que le ministre délégué aux Affaires francophones, M. Bernard Grandmaître, a déposé à l'Assemblée législative un projet de loi sur les services en français. Adoptée le 18 novembre, la Loi reconnaît à chacun le droit d'être servi en français par le gouvernement de l'Ontario dans toute localité où les francophones constituent au moins 10 p. 100 de la population ou qui compte plus de 5 000 francophones. Les garanties législatives entreront en vigueur dans trois ans. Entre-temps, une commission a été chargée d'améliorer et d'étendre les services. Le gouvernement de l'Ontario a fait appel au savoir-faire du gouvernement du Québec dans l'établissement de services en français et les deux provinces discutent actuellement de divers projets de collaboration. Une première entente concernant l'enseignement postsecondaire a été ratifiée en décembre ; l'accord d'une durée de cinq ans vise à favoriser l'accès des étudiants franco-ontariens à certains programmes universitaires québécois, notamment dans le domaine des sciences de la santé, du travail social et des soins infirmiers. Ces dispositions aideront l'Ontario à pallier le manque de ressources humaines dans certains domaines clés des services en français garantis par la Loi 8.

Tout en reconnaissant que l'adoption de cette Loi constitue incontestablement une étape importante dans la reconnaissance du fait français dans la province, l'Association canadienne-française de l'Ontario et d'autres organismes intéressés n'ont pas manqué d'en souligner certaines faiblesses, notamment en ce qui a trait aux services de santé, aux organismes parapublics et aux municipalités.

Le bilinguisme de l'Assemblée législative

Conformément aux recommandations d'un comité parlementaire, l'Assemblée législative de l'Ontario s'est dotée cet automne d'un système de traduction simultanée, dont la mise en place a coïncidé avec le début de la télédiffusion régulière des débats. De plus, pour la première fois, c'est un Franco-Ontarien, M. Claude DesRosiers, qui occupera le fauteuil du greffier. Enfin, l'Ontario est devenu membre de l'Association des parlementaires de langue française. Ainsi, même si le français n'a toujours pas constitutionnellement le statut de langue officielle dans la province, la Loi 8 a confirmé le droit de chacun d'employer le français dans les débats et les autres travaux de l'Assemblée, et exige désormais que les projets de loi soient présentés et adoptés dans les deux langues officielles.

La Loi sur les tribunaux judiciaires

L'article 135 de la *Loi sur les tribunaux judiciaires*, qui fait du français et de l'anglais les langues officielles des tribunaux de l'Ontario, est entré en vigueur en juillet. Cette Loi précise en outre qu'une « partie qui parle français a le droit d'exiger que le juge et les jurés parlent anglais et français ». En outre, les cours des infractions provinciales sont bilingues partout dans la province depuis le 31 décembre 1986. Dans les circonstances, il nous a paru pour le moins étrange que le ministre de la Justice du Canada ait jugé bon de procéder, en février dernier, à la nomination d'un juge unilingue anglophone à la Cour d'appel de l'Ontario. Il faudrait avoir un peu plus de suite dans les idées.

La chaîne française

Ayant obtenu un permis du Conseil de la radiodiffusion et des télécommunications canadiennes, la chaîne française de TVOntario diffusera dès janvier 1987 quelque 70 heures d'émissions par semaine. Elle pourra rejoindre au début environ 65 p. 100 des foyers ontariens, mais on prévoit installer des réémetteurs à Sudbury à l'automne 1987 et à Hawkesbury au printemps 1988. Il va sans dire que la création de cette chaîne a été applaudie par les francophones et tous les francophiles de l'Ontario. Elle mérite ici une mention toute spéciale, puisqu'elle a de plus la vertu de donner ses fruits alors que d'autres mesures sont encore à l'étape des fleurs.

Le cas de Kapuskasing

Au printemps dernier, les autorités de Kapuskasing décrétaient par règlement que le français et l'anglais jouissaient d'une égalité de statut, de droits et de privilèges au sein de la municipalité et que ses services seraient offerts dans les deux langues. Cette disposition fut aussitôt contestée devant les tribunaux. Le 16 octobre dernier, le juge Elmer Smith, de la Cour suprême de l'Ontario, accueillait une requête en annulation. Selon le magistrat, une municipalité n'a pas le pouvoir, en vertu de la *Loi municipale* de l'Ontario, d'adopter une pareille disposition. Cette loi leur permet certes d'offrir des services en français et en anglais, mais non de proclamer « l'égalité de statut, de droits et de privilèges » des deux langues. Seuls le Parlement fédéral et les Assemblées législatives provinciales auraient compétence à cet égard. Cette décision a toutefois permis de confirmer que la prestation de services bilingues par les municipalités est fondée en droit, car le juge Smith a également indiqué que celles-ci avaient le pouvoir de déclarer le français et l'anglais langues officielles et de se donner une politique d'embauche qui leur permette de fonctionner dans les deux langues. Bref, tout semble permis en cette matière, sauf la proclamation officielle de l'égalité de statut, de droits et de privilèges du français et de l'anglais. Par ailleurs, une modification de dernière heure au projet de loi sur les services en français a eu pour effet de permettre aux municipalités de souscrire volontairement aux dispositions de la Loi. Notons au passage que le principe du bilinguisme des services municipaux s'applique déjà dans plus d'une vingtaine de municipalités ontariennes.

La Loi 75 sur la gestion scolaire

L'entrée en vigueur de la Loi 75 sur la gestion scolaire, le 1er décembre, s'est faite presque sans heurt. Dans l'ensemble, les résultats du scrutin exigé par la Loi ont été favorables, bien que les mécanismes de transition aient suscité des tiraillements. La création d'un conseil scolaire de langue française dans Ottawa-

Carleton, ainsi que le recensement des électeurs pouvant se prévaloir des droits garantis à l'article 23 de la Charte, tous deux prévus pour 1988, devraient permettre de résoudre les quelques ambiguïtés qui subsistent. Par ailleurs, c'est en janvier 1987 que la Cour suprême du Canada se penchera sur la constitutionnalité de la Loi 30 sur le financement des écoles catholiques.

Il ne fait aucun doute que l'application parallèle de la Loi 75 sur la gestion des écoles françaises et de la Loi 30 sur le financement des écoles séparées soulève bien des difficultés et nécessite une planification minutieuse de la part du gouvernement provincial et des autorités scolaires. Mais la réussite de ce grand projet de réforme dépendra aussi, dans une grande mesure, de la volonté de tous les Franco-Ontariens de trouver les accommodements nécessaires pour garantir leur avenir dans le respect de leur héritage.

L'affaire Marchand

La Cour suprême de l'Ontario a rendu un jugement favorable au requérant dans l'affaire Marchand. En janvier 1984, M. Jacques Marchand avait intenté une action contre le Conseil scolaire du comté de Simcoe relativement à la qualité des services d'enseignement offerts aux 160 élèves de l'école secondaire francophone Le Caron, à Penetanguishene. Il reprochait au Conseil de ne pas avoir fourni des installations convenables, comparables à celles de l'école secondaire de langue anglaise, et de priver ainsi les élèves francophones d'un enseignement de qualité égale. Le juge Charles Sirois a établi que l'Assemblée législative avait effectivement la responsabilité de veiller à la qualité de l'enseignement, qu'il soit dispensé dans l'une ou l'autre langue officielle. Le gouvernement de l'Ontario et le Conseil scolaire ont décidé de porter la cause en appel, estimant qu'en l'occurrence on avait donné une interprétation trop large de l'article 23 de la Charte.

Sur le plan culturel et social, soulignons l'établissement de la Fondation franco-ontarienne et la tenue d'un important colloque de l'Institut franco-ontarien. La Fondation, qui espère recueillir 2 millions de dollars, a été créée par l'Association canadienne-française de l'Ontario pour promouvoir l'épanouissement des francophones de la province dans des domaines clés : éducation, culture, sports et loisirs. D'autre part, le colloque de l'Institut franco-ontarien, qui s'est tenu à Sudbury les 2 et 3 octobre derniers, avait pour thème : « Minorités culturelles et institutions ». Des spécialistes de plusieurs disciplines se sont penchés sur les droits des Franco-Ontariens, sur les structures sociales et économiques de leurs communautés et sur les perspectives d'avenir de la minorité de langue officielle dans la société ontarienne.

« La patience, disait Vauvenargues, est l'art d'espérer. » Au fil des décennies, les Franco-Ontariens ont beaucoup espéré et fait preuve d'une grande patience. Aujourd'hui, ils commencent à récolter les fruits de leurs efforts. Certes, leur lutte n'est pas terminée, mais la consécration constitutionnelle du français comme langue officielle en Ontario — que le Commissaire a appuyée publiquement — ne semble plus être qu'une question de temps. Les organismes franco-ontariens doivent se préparer avec soin pour franchir cette dernière étape.

Le Québec

La tentation est grande de comparer l'évolution des régimes linguistiques de l'Ontario et du Québec. Il y a d'abord le fait que le bilinguisme canadien, sur le plan parlementaire, législatif et judiciaire, a pris naissance sous le régime du Canada-Uni, entre 1840 et 1867, à l'époque où le Haut-Canada et le Bas-Canada ne formaient qu'une seule entité politique. De plus, la contiguïté géographique, le nombre et l'importance relative de la minorité de langue officielle dans les deux provinces, les déplacements de la population et la mobilité de la main-d'œuvre sont autant de facteurs qui semblent militer en faveur de régimes parallèles ou symétriques en Ontario et au Québec.

Mais comparaison n'est pas raison. Le caractère distinctif du Québec tient au fait que c'est la seule province où les francophones sont majoritaires et où, conséquemment, ce sont les anglophones qui constituent la minorité. Par ailleurs, personne ne nie que la langue française soit menacée même au Québec, et qu'elle doive être protégée. Tout le débat porte donc sur le choix des moyens pour défendre la langue française au Québec, dans le respect des droits fondamentaux de la minorité de langue anglaise. La meilleure défense du français sera toujours à nos yeux la qualité, la vitalité et la créativité de la société québécoise, démographiquement, économiquement et culturellement. S'il faut dans certains domaines savoir se défendre, il faut plus encore se mettre en état de vivre pleinement sa vocation.

Si l'on n'est pas convaincu que le Québec n'est pas une province comme les autres, il suffit d'observer la place que tient le débat linguistique dans l'actualité et de constater le déferlement des causes de cette nature devant les tribunaux. Par exemple, la question de l'emploi du français ou de l'anglais dans les sommations a été l'objet d'une contestation judiciaire importante. Bien que cette affaire ait été abordée en détail dans la partie I *(Les droits linguistiques)*, rappelons-en ici l'essentiel.

Dans la cause *MacDonald c. Ville de Montréal*, le plaignant anglophone, par suite d'une infraction au *Code de la route*, avait reçu une sommation de comparaître rédigée en français. Il s'agissait donc, comme dans l'affaire Bilodeau au Manitoba, de déterminer si l'article 133 de la *Loi constitutionnelle de 1867*, qui consacre le droit de faire usage du français ou de l'anglais devant les tribunaux, imposait également l'obligation de respecter la langue d'un prévenu lors de l'émission d'une sommation. La Cour suprême s'est prononcée en mai 1986 : toutes les parties en cause, y compris l'administration judiciaire et ses mandataires peuvent, à leur gré, utiliser le français ou l'anglais. Plusieurs estiment pourtant que les lois fédérales et provinciales devraient reconnaître aux citoyens le droit de recevoir des documents juridiques dans leur langue et d'être compris par le juge auquel ils s'adressent.

La Charte de la langue française

Les dispositions de la *Charte de la langue française* concernant l'unilinguisme français dans l'affichage public et la publicité commerciale (article 58) ont fait la une des quotidiens québécois à plusieurs reprises. Alors que certains déploraient

un manque de vigueur dans l'application de la Loi, d'autres réclamaient au contraire la suspension de toute poursuite. Par ailleurs, l'empressement de certains commerçants à bilinguiser leur affichage, voire même à retourner à un affichage unilingue anglais, à l'encontre de la Loi, a jeté de l'huile sur le feu. On se souviendra que deux décisions opposées de la Cour supérieure, l'une en 1982, l'autre en 1984, avaient été portées en appel ; d'aucuns estimaient que l'article 58 était incompatible avec la liberté d'expression garantie par la *Charte québécoise des droits et libertés de la personne*.

La Cour d'appel du Québec, dans les décisions qu'elle a rendues en décembre, a trouvé moyen de donner raison aux deux juges de première instance. Dans le premier cas, elle a maintenu (à trois contre deux) la décision du juge Dugas rendue en 1982 et rejeté l'appel dans les affaires Devine, Singer et Musique Discus. Elle reconnaissait ainsi la compétence du Québec à légiférer en matière linguistique au point d'interdire l'usage d'une autre langue que le français dans l'affichage et les raisons sociales, et d'imposer des peines aux contrevenants. Selon la Cour d'appel, cependant, ce jugement n'a plus aujourd'hui qu'une valeur purement théorique.

Car dans le second jugement concernant les affaires La chaussure Brown's, Valerie Ford, McKenna, Tailleur Masson et la Compagnie de fromage national, la Cour d'appel a maintenu à l'unanimité la décision contraire du juge Boudreau, rendue en 1984. Elle reconnaissait aussi au Québec un pouvoir de légiférer en matière linguistique pour imposer l'usage du français dans l'affichage et les raisons sociales, mais non celui d'interdire l'usage de quelque autre langue.

Cette contradiction apparente s'explique par l'adoption de deux chartes entre le jugement de 1982 et celui de 1984 : la *Charte canadienne des droits et libertés*, qui protège la liberté d'expression, et la *Charte québécoise des droits et libertés de la personne*, dont les dispositions interdisant la discrimination fondée sur la langue s'opposent à certains articles de la *Charte de la langue française*. Or la Cour a statué non seulement que l'interdiction d'autres langues était contraire à ces deux chartes, mais qu'on ne saurait passer outre à la *Charte canadienne des droits et libertés*, comme le faisaient les articles 58 (affichage) et 69 (raisons sociales) de la *Charte de la langue française*, sans dépasser les limites du raisonnable dans le cadre d'une société libre et démocratique.

Le gouvernement du Québec avait laissé entendre bien avant que la décision ne soit rendue qu'il comptait proposer des assouplissements en matière d'affichage et revoir la structure des organismes de mise en œuvre de la Loi. En juin, il a chargé un groupe de travail d'examiner la structure administrative des cinq organismes créés par la Charte. Dans son rapport rendu public en octobre, le groupe a recommandé la création d'une structure unique qui serait responsable de l'application de la Charte et qui se consacrerait principalement à la francisation des entreprises. En novembre, le gouvernement déposait le projet de loi 140, visant à modifier le mandat des cinq organismes et à en fusionner certains, et

le projet de loi 142, reconnaissant les organismes municipaux et scolaires et les services sociaux et de santé qui desservent des personnes en majorité non francophones. Ce geste a suscité un vif débat public, qui se poursuit toujours.

L'enseignement

Dans le domaine de l'enseignement, l'imbrication des questions linguistiques et confessionnelles freine toujours les efforts du gouvernement pour restructurer le système scolaire québécois. Là encore, les tribunaux ont été saisis d'une foule de causes, portant essentiellement sur l'autonomie des commissions scolaires confessionnelles, protégées en vertu de l'article 93 de la *Loi constitutionnelle de 1867*. Pour l'instant, il semble extrêmement difficile de trouver, dans ce dédale juridique, le fil conducteur qui permettrait au gouvernement d'établir un consensus. Le Conseil supérieur de l'éducation, pour sa part, préconise un amendement constitutionnel.

Le ministre de l'Éducation du Québec, quant à lui, n'a pas hésité à trancher la question des « illégaux », c'est-à-dire des enfants illégalement inscrits à l'école anglaise au Québec : par le biais d'une loi spéciale, en juin dernier, il a décrété une amnistie. Ce « pardon » humanitaire était toutefois assorti de sanctions sévères si une telle situation devait se répéter.

L'anglais au premier cycle du primaire

Le ministre de l'Éducation a également indiqué en septembre dernier qu'il était disposé à permettre l'enseignement de l'anglais au premier cycle du primaire à condition que les demandes des conseils scolaires en ce sens soient étudiées individuellement dans le cadre d'un projet d'innovation pédagogique. Bien que la déclaration du ministre ait répondu aux attentes de plusieurs parents francophones et allophones, elle n'a pas manqué d'en irriter ou d'en inquiéter d'autres. Quoi qu'il en soit, le Conseil supérieur de l'éducation a appuyé cette décision en rappelant qu'il s'agissait d'abord d'une question d'ordre pédagogique. Si le débat demeurait sur ce terrain, les enjeux en seraient peut-être plus clairs.

Alliance Québec

Alliance Québec fêtait cette année son cinquième anniversaire. En défendant vaillamment les intérêts de la communauté qu'elle représente, il est bien normal que cette association suscite certaines critiques. On peut cependant apprécier non seulement son efficacité, mais aussi son respect des différences, tant au sein des diverses communautés qu'elle regroupe que dans la société québécoise dans son ensemble. Les causes qu'Alliance Québec défend sont nombreuses : l'obtention par les Québécois d'expression anglaise de services gouvernementaux et du droit à l'affichage dans leur langue ; la participation équitable des anglophones aux fonctions publiques fédérale et provinciale ; le maintien des écoles anglaises ; la création d'emploi pour les jeunes d'expression anglaise et le développement économique des diverses communautés anglophones ; l'épanouissement culturel et social des Québécois anglophones ; la reconnaissance des droits des communautés francophones hors du Québec ; et la relance de la réforme du régime linguistique du gouvernement fédéral. Voilà tout un programme, auquel les dirigeants et les membres de l'Association s'attaquent avec vigueur.

Le dossier des services sociaux et de santé préoccupe particulièrement Alliance Québec ainsi que les diverses associations et communautés d'expression anglaise un peu partout au Québec. Plusieurs organismes ont d'ailleurs soumis des mémoires à la Commission Rochon soulignant la vulnérabilité de la population minoritaire dans les régions excentriques. En décembre, l'Assemblée nationale adoptait le projet de loi 142 reconnaissant le droit à des services sociaux et de santé en langue anglaise. Cette loi revêt une grande importance historique puisque c'est probablement la première fois que la législation québécoise consacre le droit de toute personne d'expression anglaise de recevoir dans sa langue de tels services. Critiquée dans plusieurs milieux, la Loi a été modifiée à la onzième heure, afin notamment de mieux définir les mécanismes servant à déterminer les établissements tenus d'offrir leurs services en anglais.

Les diverses associations régionales, tels les Townshippers, la Châteauguay Valley English Speaking Peoples' Association et le Committee for Anglophone Social Action, ont défendu bien d'autres dossiers tant dans le domaine culturel que dans le secteur de la main-d'œuvre, de l'économie et des services municipaux.

Les provinces de l'Atlantique

La survivance et la vie du peuple acadien constituent sans doute quelques-unes des plus belles pages de l'histoire du français en Amérique. Les francophones des provinces de l'Atlantique sont d'ailleurs fiers de leur enracinement et de leur détermination. Lorsqu'une délégation de la Société nationale des Acadiens s'est rendue à Ottawa en novembre pour y rencontrer le Premier ministre, c'était dans le but d'exposer avec force et conviction leur vision du Canada, de la place qu'ils doivent y occuper et de la *Loi sur les langues officielles*. Les porte-parole acadiens souhaitent que le gouvernement fédéral réaffirme avec vigueur le caractère bilingue du pays ; ils estiment que la révision de la Loi est l'occasion idéale d'instaurer un plan de développement global des communautés qu'ils représentent. Lors de visites dans trois des provinces maritimes en octobre dernier, le Commissaire a pu constater que les gouvernements provinciaux semblaient plus disposés, sous certaines réserves bien sûr, à promouvoir l'épanouissement des communautés acadiennes. Mais les progrès sont fort lents ; beaucoup de gens sont prêts à agir, mais ils attendent semble-t-il un signal clair de la part du gouvernement fédéral, ainsi qu'une aide effective.

Dans une affaire opposant la *Société des Acadiens du Nouveau-Brunswick et al* à l'*Association of Parents for Fairness in Education*, la Cour suprême du Canada décidait, le 1er mai dernier, que le droit d'utiliser le français ou l'anglais devant les tribunaux du **Nouveau-Brunswick**, et dans tous les actes de procédures qui en découlent, ne comprend pas le droit d'être compris directement dans cette langue. Pour éviter une tour de Babel juridique, la Cour a toutefois reconnu l'obligation pour le juge de comprendre ce qui est dit, par le biais de la traduction simultanée ou autrement. Soulignons que c'est aux juges qu'il revient d'évaluer leur propre niveau de compréhension de la langue des parties.

Notons également qu'en vertu du règlement 86.2 de la *Loi sur les langues officielles* du Nouveau-Brunswick, promulgué en janvier, une partie à une procédure peut désormais demander les services d'un interprète afin que son avocat puisse plaider dans sa langue. D'autre part, la *Loi sur les assurances* a été modifiée afin d'obliger les assureurs à retenir les services d'un avocat qui puisse utiliser la langue de l'assuré qu'il représente. Par contre, en novembre, la province a nommé un anglophone unilingue à titre de directeur du Bureau de l'Aide juridique de Restigouche, comté majoritairement francophone. Un pas en avant, un pas en arrière...

Comité consultatif sur les langues officielles

Le rapport du Comité consultatif sur les langues officielles, communément appelé le rapport Guérette-Smith, a été déposé à l'Assemblée provinciale en juin. Ce comité, on s'en souviendra, avait été chargé de sonder l'opinion sur la réforme du régime linguistique au Nouveau-Brunswick. Les auteurs du rapport recommandent que la *Loi sur les langues officielles* de la province soit révisée et que l'on adopte des mesures en vue de concrétiser le droit de chacun de recevoir des services de qualité égale dans sa langue officielle d'élection. Ils préconisent également des mesures visant à favoriser une participation équilibrée des deux groupes linguistiques dans la fonction publique provinciale et la création d'unités de travail francophones. Enfin, ils proposent l'adoption de régimes linguistiques régionaux.

Bien qu'il se soit engagé à faire plus et mieux pour assurer l'égalité du français et de l'anglais dans la province, le gouvernement a rejeté la plupart de ces recommandations, notamment les plus concrètes ; il a laissé entendre que le régime linguistique préconisé présentait trop d'embûches. Comme ces recommandations reflètent dans une large mesure le point de vue des francophones de la province, on devine que le débat est loin d'être clos. Nous éprouvons pour notre part une impatience croissante devant ce qui nous paraît être une prudence excessive dans la mise en œuvre de principes pourtant acceptés. Le Nouveau-Brunswick semble malheureusement marquer un temps d'arrêt entre l'acceptation du principe de l'égalité des langues et son application concrète.

Il semble toutefois que l'on approche du consensus en ce qui a trait aux services de santé. Une étude de M. Jean Bernard Robichaud intitulée *Objectif 2000 : vivre en santé en français au Nouveau-Brunswick* a relevé d'importantes lacunes et inégalités dans les services de santé offerts aux francophones dans le nord de la province. Le gouvernement est pleinement conscient du caractère pressant des besoins. Il faut espérer que les solutions seront adoptées rapidement. Chose certaine, cela devrait pouvoir se faire sans attendre d'éventuelles modifications à la *Loi sur les langues officielles* de la province.

Dans le secteur de l'enseignement, signalons la création d'un nouveau conseil scolaire de langue anglaise (district n° 54) regroupant quelque 220 étudiants, dans la région à majorité francophone d'Edmundston. On a ainsi éliminé l'ancien conseil scolaire bilingue et confirmé aux yeux de beaucoup de gens « les bienfaits des

écoles homogènes, tant anglaises que françaises[1] ». Par ailleurs, une centaine de professeurs et d'administrateurs scolaires francophones des provinces maritimes ont participé, au début d'octobre, à un important colloque sur l'école acadienne. On y a abordé, entre autres choses, les mesures concrètes qu'il conviendrait de prendre pour assurer le respect des droits scolaires garantis par la *Charte canadienne des droits et libertés*. Les participants ont également discuté des problèmes liés à l'élaboration des programmes d'études et à la documentation pédagogique.

Rappelons enfin le lancement en août dernier du quotidien *Le Matin*, qui partage désormais chaque jour avec *L'Acadie Nouvelle* de Caraquet la responsabilité d'informer le public sur la vie francophone.

La Fédération acadienne de la **Nouvelle-Écosse** s'est employée cette année à promouvoir de meilleurs services fédéraux et provinciaux en français. Elle a notamment mené une étude dont les conclusions soulignent, preuves à l'appui, la persistance de nombreuses lacunes. Elle a recommandé au gouvernement fédéral, entre autres choses, de créer des régions bilingues à Clare, Argyle, Sydney, Richmond, Inverness (Chéticamp, Saint-Joseph-du-Moine, Magré), Halifax-Dartmouth et Pomquet.

Le gouvernement de la province n'est pas insensible aux besoins de la communauté acadienne. Ainsi, il a autorisé cette année l'installation sur son territoire de panneaux bilingues identifiant les terrains et les établissements fédéraux (parcs nationaux et sites historiques) et créé le poste de Directeur des programmes français au ministère de l'Éducation. Enfin, il considère la possibilité de donner son accord à l'établissement d'un centre polyvalent (scolaire et communautaire) pour les francophones d'Halifax — un projet qui semble tranquillement se concrétiser.

Par contre, le Comité pour l'éducation française de Sydney et le Conseil scolaire local n'ont pu résoudre le différend qui les oppose. Les parents francophones réclament la création de classes en langue française pour leurs enfants, conformément aux exigences de l'article 23 de la Charte, tandis que le Conseil scolaire s'y refuse pour des raisons de nombre et de coût. Le Comité a donc décidé de porter la cause devant les tribunaux. Triste situation qui risque de traîner en longueur et dont personne ne sortira vraiment gagnant.

La Société Saint-Thomas-d'Aquin (SSTA) continue de revendiquer, au nom des francophones de l'**Île-du-Prince-Édouard**, une plus grande reconnaissance de leur identité culturelle et linguistique, notamment en ce qui a trait à l'accès à des programmes d'enseignement en langue française et à la création d'un centre scolaire et communautaire à Charlottetown. Par suite d'une campagne menée par le Comité de parents en faveur d'une classe française à Summerside, le gouvernement provincial a soumis en janvier 1986 un renvoi à la Cour suprême de l'Île-du-Prince-Édouard en vue de déterminer si la législation et la réglementation scolaires provinciales sont compatibles avec l'article 23 de la

[1] Jean L. Pedneault, éditorialiste, *Le Madawaska*, 8 octobre 1986, p. 4-A.

Charte. Le Commissaire aux langues officielles a obtenu d'intervenir dans cette cause afin de prôner l'adoption d'un régime scolaire qui permette aux francophones de la province d'avoir davantage droit de regard sur l'enseignement en langue française.

Dans un mémoire présenté en octobre au ministre de l'Éducation de la province, M^me^ Betty Jean Brown, la SSTA s'est élevée contre plusieurs des décisions du comité consultatif chargé d'examiner les suites à donner au rapport Paquette sur la réforme du système d'éducation. Celui-ci avait rejeté la recommandation de créer une division distincte au sein du ministère de l'Éducation pour l'enseignement en français. La SSTA a formulé huit recommandations visant à assurer le respect des dispositions de la Charte en matière d'enseignement dans la langue de la minorité.

L'affaire Ringuette et Albert, à **Terre-Neuve**, n'est pas sans évoquer certaines causes plaidées devant les tribunaux dans l'ouest du pays. Accusés de divers actes criminels, deux francophones se sont vu refuser par la Cour provinciale, en février 1986, le droit d'avoir un procès en français, tel que prévu à la partie XIV (1) du *Code criminel* du Canada. Bien que cet article n'ait pas encore été proclamé dans la province de Terre-Neuve, la défense a invoqué les dispositions du paragraphe 15(1) de la *Charte canadienne des droits et libertés*, qui porte sur l'égalité devant la loi, pour faire valoir le droit d'être entendu en français. Le 10 avril dernier, la Cour suprême de Terre-Neuve maintenait le jugement de première instance et la cause a été portée en appel. Entre-temps, la Fédération des Francophones de Terre-Neuve et du Labrador a engagé des discussions avec des représentants du ministère provincial de la Justice sur les dispositions qui pourraient être prises pour assurer la tenue de procès en français en vertu du *Code criminel*.

Le ministère de l'Éducation, pour sa part, poursuit ses efforts en vue de mettre sur pied un système scolaire en langue française dans la péninsule de Port-au-Port. Parmi ses réalisations en 1986, soulignons la création de maternelles en langue française à Grand'Terre, Cap-Saint-Georges et Anse-aux-Canards. Toutefois, les francophones tentent toujours sans succès de faire construire un centre scolaire et communautaire à Grand'Terre.

La Fédération des Francophones de Terre-Neuve et du Labrador s'est donnée comme objectif en 1987 d'évaluer les services fédéraux offerts en français. De plus, grâce à l'intervention de la Fédération, le Centre des arts et de la culture de Labrador City s'est engagé à offrir 40 p. 100 de productions en français. Enfin, la Fédération a resserré ses liens avec les communautés acadiennes en se faisant admettre au sein de la Société nationale des Acadiens ; elle arborera dorénavant un drapeau distinctif.

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A la lecture de cette chronique, plusieurs auront l'impression que la réforme du régime linguistique dans beaucoup de milieux minoritaires n'est souvent que

théorique, que les inégalités de fait perdurent et parfois même s'aggravent. De toute évidence la situation d'un grand nombre de ces communautés demeure précaire et on ne semble pas disposer de tous les moyens nécessaires pour renverser les tendances. En somme, l'égalité proclamée dans la *Charte canadienne des droits et libertés* et dans la *Loi sur les langues officielles* ressemble parfois à cette égalité qui permet aux riches comme aux pauvres de dormir sous les ponts. Il y a pourtant de l'espoir. De plus en plus de Canadiens, parfois plus sensibles à la question des minorités que leurs gouvernants, reconnaissent qu'il est urgent de donner chair à l'égalité linguistique proclamée si fièrement dans la Charte. En effet, les données d'une étude nationale menée cette année[1] sont venues confirmer les résultats du sondage que nous avions commandé à Réalités canadiennes en 1985 : les Canadiens sont aujourd'hui plus nombreux à appuyer la politique fédérale de bilinguisme qu'il y a 15 ans. Ils considèrent que le caractère bilingue du Canada enrichit notre héritage culturel et souhaitent que leurs enfants apprennent les deux langues officielles à l'école. Ils croient également que les provinces ont un rôle à jouer dans la réforme en dispensant leurs services en français et en anglais. Enfin, ils estiment que les entreprises capables d'offrir leurs services dans les deux langues sont nettement avantagées. Répondant à cet esprit de renouveau, le gouvernement fédéral se prépare enfin à modifier la *Loi sur les langues officielles* afin, entre autres choses, de définir plus clairement son engagement envers les communautés minoritaires de langue officielle et de reconnaître explicitement la place qui leur revient dans la société canadienne. Faute cependant d'un programme précis qui apporterait un soutien à ces communautés, il est à craindre que ces décisions ne soient qu'un miroir aux alouettes.

[1] *Étude sur les comportements des Canadiens et des Canadiennes à l'égard du bilinguisme* (mars 1986), réalisée pour le Secrétariat d'État par Decima Research Limited.

La radiotélévision : trouver la bonne longueur d'onde

De tous les moyens qui permettent aux Canadiens d'exprimer et de partager leurs valeurs culturelles, la radiotélévision, par la place qu'elle occupe dans notre quotidien, est sans doute l'un des plus puissants. D'une façon générale, les Québécois francophones et les anglophones des autres provinces ont facilement accès à des émissions dans leur langue, qui reflètent à des degrés divers leur culture et leurs préoccupations. Mais qu'en est-il des minorités de langue officielle ?

Dispersées dans l'immense territoire canadien, les communautés minoritaires ont, plus que quiconque, un besoin impérieux d'affirmer leur identité linguistique et culturelle, et de raffermir leurs liens avec ceux de leurs compatriotes qui parlent la même langue. Or voilà plusieurs années qu'elles déplorent la centralisation excessive du système canadien de télédiffusion, estimant que la programmation qui leur est offerte dans leur langue ne répond pas à leurs besoins.

Invoquant des raisons de rentabilité, les télédiffuseurs privés de même que les télédistributeurs ne s'intéressent guère aux minorités francophones, peu nombreuses et isolées. Celles-ci doivent donc compter presque exclusivement sur les télédiffuseurs publics, et particulièrement sur la Société Radio-Canada, dont les services en régions ne font certes pas le bonheur de tous.

Les faiblesses de Radio-Canada

Ainsi, la minorité anglophone du Québec, quoique fort bien desservie à Montréal, l'est beaucoup moins bien dans les régions périphériques, notamment en Estrie et en Gaspésie, où les émissions locales sont rares. La Quebec Farmers' Association a soutenu que la communauté anglophone avait besoin « d'un service régional anglais de Radio-Canada qui soit viable et à l'écoute de la population, autant et même davantage en 1985 qu'il y a vingt ou quarante ans ».

Mais les plus démunis à cet égard sont sans contredit les francophones de l'extérieur du Québec. Peut-on considérer en effet que les Franco-Albertains ou les Franco-Colombiens profitent pleinement des services du réseau français de Radio-Canada quand les bulletins de nouvelles traitent presque uniquement de

la scène québécoise, et que les émissions diffusées sur le réseau ne reflètent à toutes fins utiles que les goûts et les intérêts des Québécois ? Comment la télévision d'État peut-elle véritablement contribuer à rapprocher les Franco-Ontariens alors que la production locale diffusée dans l'ensemble de la province se limite à deux heures et demie par semaine ? Et pourquoi *Ontario 30*, une des rares émissions de radio qui s'adresse à l'ensemble des Franco-Ontariens, n'est-elle pas diffusée à une heure qui lui permette de rejoindre une plus large part de l'auditoire ?

Que des communautés minoritaires soient insatisfaites de la suite ne devrait étonner personne. Mais il y a plus grave : parce qu'elles ne reflètent ni leur réalité ni leurs valeurs sociales et culturelles, les francophones à l'extérieur du Québec ont tendance à se détourner des émissions qui leur sont offertes en français, au profit d'une programmation anglophone souvent plus proche de leurs préoccupations quotidiennes. C'est pourquoi ils veulent plus que des services de télédiffusion dans leur langue : ils veulent des émissions de qualité qui correspondent réellement à ce qu'ils sont.

Mais alors même que les minorités réclament des crédits accrus pour les stations régionales de Radio-Canada, celles-ci ont subi les contre-coups des réductions budgétaires imposées à la Société en 1986. Quant au Plan accéléré de rayonnement — qui vise à assurer des services à toutes les communautés de langue officielle regroupant 500 personnes ou plus dans un rayon d'environ 15 kilomètres — il a connu une nette « décélération » : sa mise en œuvre est à toutes fins utiles arrêtée depuis 1984. C'est ainsi que les francophones des Territoires du Nord-Ouest, 38 p. 100 des Franco-Colombiens et quelques communautés anglophones de l'est du Québec sont toujours privés des services de Radio-Canada dans leur langue.

L'avenir ne s'annonce guère plus reluisant : la majorité des francophones à l'extérieur du Québec ne pourront probablement pas voir les Jeux olympiques de Calgary, en 1988, dans la langue de Pierre de Coubertin, père des olympiades modernes. En effet, c'est le réseau privé TVA qui en a acquis les droits de diffusion ; or celui-ci ne rejoint qu'une faible proportion des téléspectateurs hors du Québec, et encore doivent-ils être abonnés à un service de télédistribution. Que les Franco-Albertains n'aient pas accès, dans leur langue, à un événement de cette envergure qui a lieu dans leur propre province, voilà qui est pour le moins difficile à accepter. Osons espérer que notre réseau public national saura trouver une solution satisfaisante.

Initiatives publiques

Certains groupes minoritaires ont toutefois pu se réjouir d'initiatives heureuses dans le domaine de la télédiffusion. En effet, deux événements survenus cette année ont mérité l'approbation générale : d'abord, on a annoncé la création de la chaîne française de TVOntario qui offrira, à partir du 1er janvier 1987, quelque 70 heures hebdomadaires de programmation éducative en français. Il va sans dire que les Franco-Ontariens ont accueilli cette initiative avec enthousiasme. Pour notre part, nous tenons à en féliciter la direction de TVOntario, ainsi que les organismes qui ont participé à son financement : le ministère de la Citoyenneté

et de la Culture de l'Ontario, le Secrétariat d'État et le ministère fédéral des Communications. Puis la production par Radio-Canada Atlantique de l'émission *Bonjour Atlantique*, en versions adaptées aux réalités régionales, est une réalisation digne d'éloges.

Le rapport Caplan-Sauvageau

L'un des événements les plus attendus en 1986 était certes la publication du *Rapport du Groupe de travail sur la politique de la radiodiffusion* (rapport Caplan-Sauvageau). Les associations minoritaires, qui réclament depuis longtemps une nouvelle politique, voire une nouvelle loi en cette matière, n'avaient pas manqué de soumettre au Groupe de travail des mémoires et des recommandations.

L'une des principales recommandations du Groupe de travail touche la création d'un second réseau national, Télé-Canada, qui comporterait une chaîne française et une autre anglaise. L'idée nous paraît très prometteuse et a d'ailleurs reçu un appui quasi unanime. Le Groupe de travail recommande également que l'on reconnaisse le caractère distinct de la télédiffusion en langue française au Québec. Cette reconnaissance, estime-t-on, est essentielle pour assurer le développement de la radiotélévision française : ses problèmes, qui diffèrent sensiblement de ceux de la télédiffusion de langue anglaise, exigent des solutions sur mesure. Selon les auteurs, il faut faire de Montréal le centre administratif du réseau français et y concentrer la production en français, ce qui aurait un effet d'entraînement sur les autres régions. Les groupes minoritaires ont cependant accueilli plutôt fraîchement la recommandation de concentrer la production locale dans l'est du Canada, soit à Québec, Moncton et Ottawa.

Lors d'une audience publique du CRTC visant le renouvellement de la licence de Radio-Canada, plusieurs associations membres de la Fédération des Francophones hors Québec avaient exprimé dans *Le Courage de nos différences* leur insatisfaction face au peu de place qui leur est faite au sein du système canadien de télédiffusion : « La spécificité québécoise en radiodiffusion, celle qui conduit naturellement à une définition du "caractère distinct des services français de la Société Radio-Canada", doit-elle s'édifier au détriment du fait français hors Québec ? » Elles avaient donc recommandé « que l'on assure une plus grande autonomie aux postes régionaux situés dans l'Ouest et que l'on donne à ce réseau de postes les moyens financiers leur permettant d'accroître leurs ressources, d'améliorer la qualité de leurs émissions et d'élaborer une programmation qui corresponde davantage aux besoins des francophones de l'Ouest ».

Nous abondons dans le même sens : les stations régionales de l'Ouest devraient non seulement pouvoir produire des émissions qui répondent aux besoins réels de la population qu'elles desservent, mais également en produire qui seraient diffusées sur le réseau national, afin de permettre aux communautés minoritaires de participer, dans leur langue, à la vie nationale. Que l'imagination supplée au manque de ressources : Radio-Canada devrait rechercher des formules novatrices pour atteindre cet objectif, par exemple le recours à des équipes mobiles pour réaliser certaines émissions.

Les nouvelles technologies

En plus d'exploiter un réseau public de télédiffusion, le gouvernement finance des travaux de recherche dans le domaine des télécommunications. A notre avis, il devrait faire en sorte que les nouvelles technologies servent notamment à assurer aux minorités de langue officielle un plus vaste choix d'émissions dans leur langue. Même si pour l'instant tout élargissement éventuel de la clientèle en dehors du territoire d'origine se heurte à des obstacles financiers particuliers, il serait souhaitable que l'on arrive à une entente en vue de diffuser par satellite, dans tout le Canada, les signaux de Radio-Québec et de la chaîne française de TVOntario.

De même, la diffusion dans l'est du Canada de la programmation du consortium canado-européen TV5, par le biais du satellite Anik C, est une initiative fort bienvenue. Peu après septembre 1987 — date du Sommet de la francophonie à Québec — les francophones de l'est du Canada devraient avoir accès à des émissions en provenance de la Belgique, de la Suisse romande et de la France, sans compter l'apport canadien. Cette nouvelle chaîne, qui viendra compléter la programmation locale, constituera un apport culturel important en renforçant les liens au sein de la francophonie canadienne et internationale. Nous recommandons toutefois qu'on étudie la possibilité d'utiliser le satellite Anik D afin de rendre TV5 accessible à tout le Canada.

La radio-télévision communautaire

Les stations de radio et de télévision communautaires constituent un excellent moyen d'expression et de communication pour les collectivités et les groupes minoritaires. Même avec des budgets modestes, elles peuvent contribuer de façon importante à la cohésion et au dynamisme d'une collectivité. C'est pourquoi le Groupe de travail Caplan-Sauvageau a recommandé « que l'on reconnaisse que les services communautaires sans but lucratif font partie du système canadien de la radiodiffusion au même titre que les services publics et privés déjà reconnus par la *Loi sur la radiodiffusion* ». Nous appuyons pleinement cette recommandation, et encourageons le CRTC à tenir davantage compte de la vulnérabilité linguistique et culturelle des minorités de langue officielle lors de l'attribution d'une licence à des stations de ce genre. A l'heure actuelle, on exige des garanties sur le plan du financement qui entravent très souvent l'établissement de radios communautaires. C'est le cas à Hearst où un projet est en butte à la rigidité des exigences du CRTC. A notre avis, celui-ci devrait aller au-delà de son rôle réglementaire et s'efforcer d'encourager de telles initiatives, dont les objectifs correspondent à ceux de la politique nationale.

Une nouvelle loi sur la radio-diffusion

Les transformations importantes qu'a connues le domaine de la télédiffusion depuis une décennie amèneront très probablement le gouvernement fédéral à mettre à jour sous peu la *Loi sur la radiodiffusion*. Le rapport Caplan-Sauvageau renferme d'ailleurs plusieurs recommandations à cet égard. Pour notre part, nous croyons qu'une nouvelle loi devrait affirmer clairement la place des minorités de langue officielle au sein du système canadien de télédiffusion. Cette loi devrait donc :

1) reconnaître le caractère distinct des réseaux français et anglais de Radio-Canada ;

2) réaffirmer le droit de tous les Canadiens, et notamment des communautés minoritaires de langue officielle, à des services de Radio-Canada dans leur langue qui reflètent leur culture ;

3) appuyer davantage le développement de radios et de télévisions communautaires afin qu'elles servent d'agora électronique aux minorités de langue officielle ;

4) affirmer le caractère essentiel de la décentralisation et de la régionalisation pour l'épanouissement de la radiotélévision canadienne.

Une nouvelle loi sur la radiodiffusion qui tiendrait dûment compte de ces points s'harmoniserait avec l'esprit de la *Loi sur les langues officielles* et de la Constitution canadienne, et créerait un environnement radiophonique et télévisuel propice à l'épanouissement des minorités de langue officielle.

PARTIE V

L'éducation : Des plans S.V.P.

L'enseignement de la langue seconde : d'une province à l'autre

Parmi les événements marquants de l'année dans le domaine de l'enseignement de la langue seconde, c'est de nouveau l'immersion en français qui a constitué le point de mire. Si l'expansion et la popularité extraordinaires de ce programme demeurent impressionnantes, on s'interroge aujourd'hui sur les effets de celui-ci sur notre système d'enseignement des langues. Ce n'est pas que l'immersion soit sérieusement remise en question, même si ses résultats nous frappent moins qu'autrefois. En tant que méthode d'enseignement et d'apprentissage d'une langue seconde, l'immersion a fait ses preuves. Cependant, sans qu'on puisse lui en imputer la faute, elle pertube les méthodes d'enseignement traditionnelles.

L'immersion a fait l'objet d'une foule de recherches, sans doute parmi les plus approfondies qu'ait connu le monde de l'enseignement au cours des 20 dernières années. Pourtant, bien des questions demeurent sans réponse — en fait, certaines n'ont même pas été formulées. Parents, enseignants, administrateurs scolaires, hommes et femmes politiques, et bien sûr tous ceux dont les enfants participent à un programme immersif, se sont posé quelques-unes de ces questions : Quel est l'âge idéal pour débuter un programme d'immersion en français ? Quelles sont les répercussions éventuelles sur la connaissance de la langue maternelle ? Et surtout, peut-il y avoir un prolongement au postsecondaire et après les études ?

Ce n'est toutefois que récemment que l'attention s'est portée sur les aspects plus fondamentaux de la structure de l'enseignement : Comment l'immersion se compare-t-elle avec des programmes cadres bien enseignés, non seulement du point de vue de l'efficacité pédagogique, mais en tant qu'option économiquement acceptable parmi les diverses méthodes ? Devrait-on permettre une expansion illimitée des programmes immersifs ? Étant donné le nombre d'enfants déjà inscrits à l'un de ces programmes et les attentes des parents, quelle serait la ligne de conduite la plus rationnelle ? Et à défaut de directives appropriées, à quoi peuvent raisonnablement s'attendre les participants aux programmes cadres de français en matière de connaissance de la langue seconde ? On ne peut plus ne pas tenir

compte de ces questions de politique et de planification. Manifestement, le gouvernement fédéral est un des premiers intéressés en ce qui a trait à l'amélioration de l'enseignement de la langue seconde dans ce pays, et il se doit de participer à la recherche de solutions.

Commençons par des faits. Seulement 4 p. 100 des étudiants anglophones sont inscrits à des programmes immersifs, ce qui représente tout de même quelque 200 000 enfants au primaire et au secondaire. Pour la plupart des autres, les programmes cadres (simples ou prolongés) demeurent la seule méthode d'apprentissage du français. Heureusement, avec l'expérience, nous savons aujourd'hui ce que les enseignants en langues d'autres pays ont appris depuis longtemps : que les programmes cadres en français sont beaucoup plus qu'une voie secondaire vers un bilinguisme fonctionnel. Nombre de personnalités canadiennes parfaitement bilingues n'ont vraisemblablement eu accès qu'à un programme cadre de langue seconde. Le succès de ces programmes réside davantage dans l'aisance et les aptitudes des professeurs, dans les possibilités réelles ou artificielles d'utiliser la langue et, bien sûr, dans les motivations profondes des apprenants.

Fort heureusement, ce regain d'intérêt envers les programmes cadres nous permet d'entrevoir plusieurs solutions de rechange à l'escalade sans fin des programmes immersifs. Cette utopie égalitariste, qui est en voie de traumatiser l'ensemble du réseau d'enseignement canadien-anglais, doit céder le pas à des façons plus pratiques et plus économiques de donner au plus grand nombre d'enfants possible une connaissance de la langue seconde qui leur sera utile, à eux comme à leur pays.

Il faut reconnaître que cette réorientation ne constitue guère plus, à l'heure actuelle, qu'une hypothèse prometteuse. Elle révèle toutefois qu'il est dangereux de tenter de mettre tous nos œufs dans le même panier. Aussi faut-il se réjouir à l'idée que des organismes avant-gardistes, comme la Canadian Parents for French, accordent leur soutien à ce que l'on a appelé l'Étude nationale sur les programmes cadres de français, un projet triennal de l'Association canadienne des professeurs de langue seconde, subventionné par le Secrétariat d'État et qui bénéficie de l'appui des ministres provinciaux de l'Éducation et des commissions scolaires.

Le débat enseignement immersif-programme cadre est loin d'avoir été résolu, et aucun effort collectif n'a été entrepris en vue d'instaurer une stratégie nationale permettant d'y mettre un terme. Cela n'a pas été sans conséquences, comme on pourra le voir dans les pages qui suivent.

La question se pose tout à fait différemment dans les écoles françaises du Québec. Si l'enseignement immersif en anglais y est inexistant — ce qui semble en étonner plusieurs —, c'est que les francophones du Québec sont déjà « immergés » dans la culture anglophone nord-américaine, et que c'est la survie de la langue française qui les préoccupe. On ne s'étonnera donc pas que le projet du gouvernement de faire commencer l'enseignement de l'anglais dès la première année plutôt qu'en quatrième ait suscité un vif débat, comme nous le verrons plus loin.

Si l'enseignement de la langue seconde revêt au Canada une telle importance, c'est qu'il a apporté une contribution essentielle à la bilinguisation du pays. Aussi faut-il presser les autorités fédérales et provinciales de profiter de la renégociation prochaine de leurs ententes sur les langues d'enseignement 1) pour réévaluer à fond la répartition des subventions aux différents aspects de ce programme, et 2) pour entreprendre de concert les travaux de recherche et de planification devenus si importants et si pressants. Elles doivent à tout prix éviter les combats de coqs disgracieux et aider le Canada à progresser harmonieusement vers l'égalité linguistique.

Terre-Neuve

En avril 1986, le Policy Advisory Committee on French Programs de Terre-Neuve recevait le rapport du groupe de travail formé en 1984 en vue de réévaluer le programme cadre provincial de français. Il proposait une politique globale visant à améliorer les programmes cadres, en tenant compte des recherches récentes dans ce domaine, ainsi que de la politique actuelle de Terre-Neuve et d'autres provinces. Le ministre de l'Éducation étudie actuellement ses conclusions.

Dans l'ensemble de la province, l'enseignement immersif en français continue de s'étendre, ce qui ne manque pas de préoccuper maints conseils scolaires. Ainsi, le Conseil scolaire unifié d'Avalon a décidé pour l'instant de maintenir le programme immersif dans une école primaire, alors que seulement 12 élèves sont inscrits en première année. Faut-il maintenir des classes aussi petites ? Qu'une telle question se pose illustre encore une fois la nécessité d'une planification à long terme. Un rapport sur l'immersion en français dans le district d'Avalon soulève plusieurs autres questions : la possibilité de recruter un nombre suffisant d'enseignants qualifiés ; les avantages et les inconvénients du système à double voie ; l'accessibilité à des bibliothèques convenables dans les petites collectivités comme dans les grands centres ; enfin, la promotion de programmes à l'intention des finissants des cours immersifs.

Quant au ministère de l'Éducation, il a entrepris de mettre en place une nouvelle méthode d'évaluation de la compétence en français des finissants du programme cadre. Ces derniers reçoivent actuellement une note de leur école, en plus de passer un examen du Ministère ; à partir de juin 1987, ils seront soumis à un examen oral par leur professeur de français, l'objectif étant de valoriser l'aptitude à parler cette langue. Les examens oraux menés à titre expérimental ont donné de très bons résultats, et les enseignants aussi bien que les élèves s'y sont prêtés de bonne grâce.

Notre rapport de l'an dernier faisait état d'une étude de l'Université Memorial sur les élèves de première, deuxième et troisième en immersion française. Au congrès de l'Association canadienne des professeurs d'immersion (ACPI), en novembre dernier, les professeurs Netton et Spain en ont présenté les conclusions préliminaires sous le titre *Teacher-Student Interaction Patterns: Low vs. High Achievers in Immersion*. On prévoit terminer l'étude en 1987.

Île-du-Prince-Édouard

En début d'année, les inscriptions aux programmes d'immersion en français ont provoqué une nouvelle ruée. A Charlottetown, près de 200 parents ont fait la queue toute une nuit pour inscrire leurs enfants en première année. Dans le district scolaire de Montague, où les inscriptions pouvaient se faire par téléphone, 48 enfants avaient été inscrits en une demi-heure à peine dans une classe dont l'effectif prévu était de 25 élèves. Aux prises avec cette demande croissante, les conseils scolaires sont contraints de réexaminer leur politique en la matière. De plus, comme les élèves en immersion longue sont de plus en plus nombreux à progresser vers les hautes classes, il faut multiplier les programmes immersifs à ces divers niveaux. On a dû également cette année accroître le nombre de classes d'immersion courte. Résultat : l'effectif des classes immersives s'est accru de 24 p. 100 environ, alors que l'ensemble de la population scolaire diminuait.

Le rapport Paquette

Le ministre de l'Éducation a publié en octobre le *Rapport du comité consultatif sur la Commission Paquette*. Il s'agit de la réponse officielle du gouvernement aux travaux de cette Commission, qui s'était penchée sur la réforme de l'enseignement. Parmi les 42 recommandations du comité consultatif, mentionnons les suivantes : un énoncé de politique à long terme quant aux objectifs de la province en matière d'enseignement ; un plan quinquennal visant la mise en œuvre de programmes prioritaires ; et un mécanisme de révision de la politique ministérielle. Le comité a également recommandé que l'on accorde des fonds au district scolaire francophone d'Évangeline afin d'engager cinq enseignants supplémentaires, et que les étudiants qui ne sont pas en immersion puissent avoir accès à des programmes cadres de qualité.

Nouvelle-Écosse

L'année a été calme dans l'ensemble en Nouvelle-Écosse, mis à part la fermeture de plusieurs écoles, faute d'inscriptions. Le Conseil scolaire du district de Cap Breton, par exemple, a fermé 12 écoles l'automne dernier par mesure d'austérité. Ayant moins d'élèves, les conseils scolaires recevaient proportionnellement moins d'argent du ministère de l'Éducation, ce qui les a obligé à fusionner des écoles ou des classes. Par contre, les programmes immersifs en français ont poursuivi leur expansion. Le Conseil scolaire du district de Sydney, entre autres, s'apprête à ajouter près de 60 places en septième année à son programme d'immersion courte, tandis que le Conseil de Halifax-Bedford ajoutera quatre classes de septième, portant leur total à 12.

Bien que l'immersion y jouisse sans conteste d'un appui solide de la part des parents, la Nouvelle-Écosse demeure au dernier rang des provinces quant à l'établissement de programmes immersifs. Si le ministère de l'Éducation est prêt à collaborer, c'est aux conseils scolaires qu'il incombe de mettre en place des programmes. Cela dit, si l'on en croit un responsable du Ministère : « Nous n'avons pas commencé aussi tôt que certaines autres provinces, mais à présent nous fonçons à toute vapeur ! »

Nouveau-Brunswick

Nous avons fait état l'an dernier de deux rapports sur l'enseignement de la langue seconde, l'un du Cabinet de la réforme gouvernementale du Nouveau-Brunswick, l'autre du professeur H.H. Stern de l'Institut ontarien d'études pédagogiques. Tous deux préconisaient une réforme en profondeur des programmes de français langue seconde au Nouveau-Brunswick. Par suite des recommandations du Cabinet de la réforme gouvernementale, le ministère de l'Éducation a annoncé son intention de réexaminer l'ensemble de ses programmes de langue seconde, y compris les programmes d'immersion courte, moyenne et longue, les programmes cadres normaux et prolongés, ainsi que l'enseignement de l'anglais langue seconde dans les écoles françaises. Un rapport est attendu dans le courant de 1987, mais on ne prévoit guère de réforme avant deux ans.

Dans son rapport, le Comité consultatif sur les langues officielles, qui préconisait lui aussi une réévaluation des programmes, a pressé le ministère de l'Éducation de fixer une norme minimale de bilinguisme fonctionnel, et l'a incité à persuader les conseils scolaires d'offrir des cours de langue seconde à tous leurs élèves. Enfin, il lui recommandait d'étudier le rapport coûts-bénéfices des programmes existants et de ne pas adopter de nouvelles mesures avant d'en évaluer les répercussions sur les élèves en ce qui a trait à la maîtrise de leur langue maternelle.

Le rapport Stern

Dans leur examen du système d'éducation, le gouvernement et les conseils scolaires ont tenu compte des recommandations du rapport Stern, publié il y a deux ans sous le titre *French as a Second Language in New Brunswick: A Report on the Current Position and a Discussion on the Way Ahead*. Le gouvernement avait commandé cette étude sur l'enseignement du français langue seconde dans la province afin de le guider quant à la marche à suivre en cette matière. Le rapport propose diverses façons de mieux coordonner les programmes cadres et immersifs, dans le meilleur intérêt des élèves. Devant le « dilemme immersion-cadre », le Rapport suggère d'offrir un programme cadre enrichi en première, deuxième et troisième années, suivi d'une immersion totale en quatrième, cinquième et sixième, d'une immersion partielle en septième, huitième et neuvième, et enfin d'un cours de lettres françaises, plus une ou deux autres matières facultatives dans cette langue, en dixième, onzième et douzième années. Il s'agit là, précise l'auteur, d'une esquisse de programme qui *pourrait* servir si la province décidait de normaliser l'enseignement de la langue seconde dans tous les districts scolaires.

Ce système implique notamment que tous les parents et les enseignants acceptent l'idée que l'immersion soit obligatoire — ce qui est loin d'être acquis ! Certains conseils scolaires ont estimé que cette proposition favorisait l'immersion moyenne au détriment de l'immersion longue, mais le professeur Stern rejette catégoriquement cette interprétation. Le Conseil scolaire du district de Salisbury (n° 16) a néanmoins décidé d'adopter une version modifiée de ce programme, à titre expérimental, et de mettre progressivement fin à son programme d'immersion longue. L'élève conserverait cependant la possibilité de poursuivre le programme cadre après la quatrième. Le district 26 (Fredericton) a également décidé de

supprimer l'immersion longue et d'introduire l'immersion moyenne à partir de la quatrième année en 1989. Ces mesures ont suscité des protestations de la part de la New-Brunswick Parents for Early Immersion et de la section provinciale de la Canadian Parents for French. Celles-ci soutiennent entre autres que le conseil du district 16, bien qu'il ait effectivement consulté enseignants et parents, n'a pas suffisamment tenu compte des arguments adverses.

Une seule chose est claire, en somme, c'est que la confusion règne. Lors d'une conférence sur l'immersion tenue en octobre à l'Université du Nouveau-Brunswick, le professeur Stern affirmait : « Il n'existe tout simplement pas de données concluantes quant à l'âge idéal pour commencer l'immersion. » Mais le professeur Merrill Swain, de l'Institut ontarien d'études pédagogiques, a soutenu au contraire que les recherches sur l'enseignement du français avaient prouvé que les programmes immersifs longs étaient « clairement supérieurs » aux programmes courts, et qu'ils « devraient être mis de l'avant par des provinces comme le Nouveau-Brunswick ». Quand les experts se contredisent à ce point, comment s'étonner que les décisions administratives suscitent des controverses ? Si chacun doit faire preuve d'ouverture d'esprit au cours de ce difficile débat, il est avant tout essentiel de trier et de synthétiser les données de planification pertinentes afin de limiter le gaspillage de temps et les réactions trop émotives que favorisent l'insuffisance et l'ambiguïté des données.

Dans le reste du Nouveau-Brunswick, les inscriptions aux programmes de français, immersifs ou cadres, ont augmenté cette année malgré la baisse générale des effectifs scolaires. La clientèle en immersion dépasse maintenant 14 000 élèves, une hausse de près de 14 p. 100 par rapport à l'an dernier. Cette affluence a poussé certains conseils scolaires à mettre en place de nouveaux systèmes d'inscription par tirage au sort. Ce fut le cas dans le district de Rothesay, où la demande a excédé l'offre à un point tel que quatre écoles ont dû recourir à des tirages au sort pour désigner les élus. Le ministère de l'Éducation laisse aux conseils scolaires le soin d'élaborer leur propre politique d'enseignement de la langue seconde, mais ceux-ci manquent souvent des fonds nécessaires pour le mettre en œuvre.

Québec

Enseignement précoce de l'anglais

L'enseignement de la langue seconde a donné lieu à de nombreux débats au Québec cette année. L'un deux porte sur le projet du gouvernement d'autoriser l'enseignement de l'anglais dans les écoles françaises dès la première année plutôt que la quatrième. (Dans le secteur francophone, l'anglais langue seconde est obligatoire de la quatrième à la sixième, et tout au long du secondaire.) Bien que l'enseignement de l'anglais soit interdit dans les écoles françaises avant la quatrième année, la Commission scolaire protestante du Grand Montréal et la Commission scolaire catholique de Châteauguay, entre autres, ont contourné le règlement en introduisant dans leurs sections françaises des cours d'anglais dès la maternelle. Selon le président du Conseil supérieur de l'éducation — un organisme consultatif indépendant qui s'est prononcé en faveur d'un enseignement

plus précoce de l'anglais — quelque 25 000 écoliers de première, deuxième et troisième années apprennent actuellement l'anglais dans des écoles françaises. Le coordonnateur de l'enseignement de l'anglais langue seconde à la Commission scolaire Baldwin-Cartier a fait remarquer que les élèves francophones, de la quatrième année au secondaire V, consacraient environ 700 heures à l'apprentissage de l'anglais, tandis que les anglophones pouvaient choisir de consacrer jusqu'à 5 000 heures à l'étude du français. En 1983, cette Commission créait un programme enrichi d'anglais et portait à un tiers du total le contenu anglais de son enseignement. Le succès de cette formule a incité d'autres commissions à s'en inspirer.

Les commissions scolaires ne voient pas toutes d'un bon œil le projet du gouvernement d'autoriser l'apprentissage de l'anglais dès la première année. Paradoxalement, la Commission scolaire protestante du Grand Montréal y voit une menace pour son secteur français, actuellement en pleine croissance. Ce secteur, qui comprend 19 des 66 écoles de la Commission, est près de sept fois plus important qu'il y a 12 ans, en grande partie grâce à ses classes d'anglais. La Commission scolaire de Châteauguay, en revanche, est favorable au projet gouvernemental, qui pourrait aider à réduire le nombre d'élèves quittant les écoles catholiques au profit de la Commission scolaire protestante, afin de bénéficier de l'enseignement précoce de l'anglais.

Par ailleurs, la Fédération des directeurs d'écoles ainsi que la Centrale de l'enseignement du Québec, la plus importante fédération d'enseignants de la province, ont dénoncé la hâte du gouvernement dans cette affaire, faisant valoir que toute réforme devrait être précédée d'une analyse de ses effets sur la tâche des enseignants. Le ministre de l'Éducation ayant remis sa décision à une date indéterminée, il est peu probable que le nouveau régime soit en vigueur à la rentrée de septembre. Entre-temps, le Ministère a diffusé une mise en demeure aux écoles qui se livrent « illégalement » à l'enseignement précoce de l'anglais langue seconde.

Par ailleurs, les programmes de français langue seconde ont pris de l'expansion partout dans la province au cours de l'année. Ainsi la Commission scolaire protestante de la vallée de Châteauguay a annoncé son intention d'introduire l'immersion courte au secondaire. Y sont admissibles les élèves ayant déjà participé à un programme immersif, ceux ayant suivi le programme cadre de français ainsi que les élèves d'écoles primaires françaises désirant poursuivre leurs études dans une école secondaire anglaise. De son côté, la Commission scolaire régionale de la Gaspésie a donné le feu vert à un nouveau programme à l'école de New Carlisle : 18 élèves sortant de sixième y passeront une année dans un programme de français avant d'entrer au secondaire.

Les participants aux états généraux de l'éducation, qui se sont tenus à Montréal en avril dernier, ont demandé au gouvernement du Québec de reconnaître officiellement les programmes d'immersion en français et de leur accorder son appui. Le gouvernement a chargé un groupe de travail d'examiner la question.

La Charte de la langue française

Nous avons traité l'an dernier des effets de la *Charte de la langue française* (communément appelée la loi 101) sur la fréquentation des écoles françaises de la province. Vers la fin de 1986, les commissions scolaires protestantes du Québec ont fait savoir qu'elles demanderaient aux tribunaux d'établir clairement qui a droit à l'enseignement en anglais au Québec. Les plaignants estiment que la loi 101 est subordonnée à l'article 23 de la *Charte canadienne des droits et libertés*, qui garantit le droit à l'enseignement en anglais aux enfants de citoyens ayant étudié en anglais au Canada. Les commissions soutiennent en outre qu'un enfant de parents canadiens qui a étudié en anglais pendant six à 12 mois remplit les conditions d'admission à l'école anglaise, tandis que la loi 101 exige quatre ans d'études en anglais. Étant donné que les effectifs des écoles anglaises de Montréal ont chuté de moitié depuis 1970, le Conseil espère, s'il obtient gain de cause, que les inscriptions augmenteront et que les fermetures d'écoles diminueront.

Ontario

Les programmes de français sont en pleine expansion en Ontario. Dans toutes les régions, on réclame des programmes cadres et immersifs plus nombreux et de meilleure qualité. Le gouvernement provincial a donc entrepris d'élargir le programme cadre de français au primaire. A partir de l'année scolaire 1987-1988, tous les élèves entrant en quatrième seront tenus de faire 600 heures de français avant la fin de la huitième année. Pour la plupart des conseils scolaires, cela représente une hausse moyenne d'environ 16 p. 100. Par contre, le ministère de l'Éducation n'a pas modifié sa norme pédagogique, qui demeure de 1 080 heures accumulées par élève. Parmi les 142 conseils scolaires publics et séparés de l'Ontario, 70 offrent actuellement des programmes immersifs ou des programmes cadres allongés, soit huit de plus que l'an dernier. Au primaire, plus de 7 p. 100 des élèves anglophones sont en immersion, et les inscriptions augmentent de quelque 6 p. 100 par an.

La loi 75

En juillet, la loi 75 est venue modifier la *Loi scolaire*, donnant aux minorités francophone et anglophone une plus grande mainmise sur leurs écoles. Cette mesure faisait suite à un arrêt de la Cour d'appel datant de 1984, qui avait déclaré que la *Loi scolaire* n'assurait pas « que les structures d'enseignement en langue minoritaire puissent être objectivement considérées comme appartenant à la minorité » et, par conséquent, ne satisfaisait pas aux dispositions de la *Charte canadienne des droits et libertés*. Les amendements ont pris effet le 1er octobre 1986. Désormais, les minorités francophone ou anglophone peuvent administrer leur propre « section » au sein des conseils scolaires où l'enseignement se donne dans les deux langues. Conformément à la tradition ontarienne en matière d'administration scolaire, la Loi prévoit l'élection de commissaires appartenant à la minorité au sein des conseils scolaires dotés d'« unités d'enseignement » dans la langue minoritaire. Ainsi, selon le cas, les représentants de la minorité francophone siègent au Conseil de l'enseignement en langue française, et ceux de la minorité anglophone au Conseil de l'enseignement en langue anglaise.

Les Conseils de l'enseignement en langue française (ou anglaise) planifient, mettent en œuvre et administrent leurs propres programmes, et embauchent leurs enseignants ainsi que le personnel administratif et d'encadrement. Ils recevront également leur part des subventions générales. La Loi prévoit l'élection d'au moins trois membres à chaque Conseil de l'enseignement, quels que soient les effectifs de la minorité. Aujourd'hui, parmi les 166 conseils scolaires ontariens, 56 ont des représentants de la minorité francophone (26 publics et 30 séparés) et 11 ont des représentants anglophones (deux publics et neuf séparés). Dans les districts n'offrant pas l'enseignement du français ou de l'anglais langue première, la Loi prévoit la création de comités consultatifs chargés de préciser les besoins en matière d'enseignement qui pourraient être satisfaits par des conseils voisins.

La *Loi scolaire* de l'Ontario est plus conforme à l'esprit et à la lettre de la *Charte canadienne des droits et libertés* depuis l'adoption de la loi 75. Celle-ci garantit aux francophones de l'Ontario un droit de regard sur l'éducation de leurs enfants par l'entremise de représentants aux conseils scolaires. D'autre part, il semble que la loi 75 ne touche pas l'enseignement du français langue seconde.

Il existe cependant un problème particulier qui vaut d'être signalé : en vertu du paragraphe 23(2) de la Charte, les parents dont un enfant a reçu l'enseignement en français au primaire ou au secondaire ont le droit de faire instruire *tous* leurs enfants en français. Par conséquent, un anglophone dont au moins un enfant a été instruit en français pourrait non seulement envoyer tous ses enfants à l'école française, mais serait également éligible au Conseil de l'enseignement en langue française (ou au comité consultatif, selon le cas) et pourrait donc influer sur l'orientation des programmes de français langue première destinés à la minorité francophone. Dans le comté de Simcoe, par exemple, où l'on ne compte aucun programme immersif, certains parents anglophones ont inscrit leurs enfants dans des écoles primaires françaises, devenant ainsi éligibles au Conseil de l'enseignement en langue française. Bien qu'il soit juridiquement difficile de nier un tel droit aux parents anglophones, l'exercice de ce droit ne paraît guère conforme à l'esprit de la réforme. (Bien entendu, le même raisonnement s'applique aux francophones élus à un conseil de la minorité anglophone.) Or si la présence d'élèves anglophones dans ces écoles peut être bénéfique pour ceux-ci, il est pour le moins douteux qu'elle soit dans le meilleur intérêt des jeunes francophones.

Manitoba

Le transport scolaire

Nous avons fait état, dans nos deux derniers rapports annuels, de la controverse entourant le transport des écoliers en immersion française. Le problème reste entier. A Thompson, des parents ont dû intenter une poursuite contre le Conseil scolaire de Mystery Lake, l'accusant de discrimination à l'encontre des élèves en immersion française parce qu'il refusait d'assumer leurs frais de transport. L'arrêt de la Cour du Banc de la reine en faveur des parents a été renversé en août par la Cour d'appel. Cette dernière a estimé que les droits linguistiques et le transport des écoliers étaient deux choses distinctes, et que le droit de recevoir

l'enseignement en français ou en anglais n'impliquait pas le droit au transport gratuit. La Cour a reconnu que, en vertu de la *Loi sur les écoles publiques*, les autorités scolaires étaient non seulement tenues de mettre des écoles à la disposition des élèves, mais aussi de veiller à ce que celles-ci leur soient raisonnablement accessibles. Cependant, selon le tribunal, il appartient à chaque conseil scolaire de fixer ses propres critères d'« accessibilité raisonnable ».

Si plusieurs conseils ont une politique de transport plus équitable à l'égard des élèves en immersion, elle ne s'applique en général que jusqu'à la deuxième année. Aussi les parents manitobains, surtout à Winnipeg, craignent-ils d'être obligés de retirer leurs enfants des programmes immersifs lorsqu'ils atteindront la troisième année. Le problème ne se limite pas aux seuls parents et élèves de la majorité linguistique. Comme nous l'avons noté plus haut, les parents francophones de certaines localités isolées doivent se contenter des classes d'immersion pour assurer à leurs enfants un minimum d'enseignement en français. Nous nous demandons si, dans ce cas, il faut toujours dissocier droits linguistiques et politique de transport. Nous souhaitons que le ministère de l'Éducation ne s'en remettra pas aux tribunaux pour régler cette question, mais qu'il agira plutôt dans l'intérêt des conseils scolaires, des parents et des élèves en réexaminant sa politique à la lumière de l'évolution du domaine de l'enseignement des langues secondes au Manitoba.

Du côté des bonnes nouvelles, les programmes immersifs continuent de prendre de l'ampleur au Manitoba : plus de 12 500 élèves sont maintenant inscrits dans 67 écoles. Il y a 10 ans, seulement 1 290 élèves étaient inscrits en immersion française dans les 14 écoles qui offraient ce programme. Il faut se féliciter par ailleurs des efforts consentis par la province pour répondre aux besoins croissants en professeurs qualifiés. Pas moins de 90 des 100 postes créés cette année en immersion française seront comblés par des diplômés manitobains. Toutefois, les écoles rurales continuent d'avoir des problèmes de recrutement.

Saskatchewan

Nous avons fait état l'an dernier d'un procès intenté contre le Conseil scolaire du district de Weyburn par la Canadian Parents for French, en vue d'obtenir un programme d'immersion en français. En déboutant la plaignante, le tribunal a suggéré aux parents de Weyburn d'intenter un nouveau procès, cette fois à titre d'organisation locale, conformément à la *Loi scolaire*. Les parents n'ont pas repris le flambeau, de sorte que Weyburn est toujours sans programme d'immersion. Cela illustre bien à quel point il peut être difficile pour un groupe de parents, quelle que soit la générosité des lois, de rassembler et de soutenir l'énergie, l'intérêt et les ressources nécessaires pour livrer des batailles juridiques qui peuvent durer plusieurs années. Il reste que le Conseil de Weyburn a mis sur pied un programme cadre de français allant de la maternelle à la sixième. L'enseignement du français y est donc dispensé, jusqu'à un certain point, à tous les échelons.

Mis à part l'affaire Weyburn, les programmes immersifs continuent de se développer de façon encourageante en Saskatchewan. On estime que plus de 18 000 élèves y seront inscrits en 1990. Ils étaient 338 il y a 10 ans, et le nombre d'écoles offrant l'immersion est passé au cours de cette période de deux à 44. Le plus étonnant, bien sûr, c'est qu'une telle croissance coïncide avec le déclin général de la clientèle scolaire. Par ailleurs, le réseau public introduit graduellement dans les premières années des programmes cadres de français obligatoires. C'est le cas du Conseil scolaire de Regina, par exemple, où le programme cadre est maintenant obligatoire pour l'ensemble du primaire. Pour sa part, le Conseil séparé a lancé des projets pilotes en vue d'instituer un programme cadre obligatoire à tous les échelons.

L'expansion des programmes de français, à la fois cadres et immersifs, a entraîné des problèmes sérieux sur le plan du recrutement et des installations. La Saskatchewan, qui n'est d'ailleurs pas la seule province dans son cas, prévoit qu'elle devra engager ou recycler plus de 80 enseignants par année pour répondre aux besoins. Une campagne de recrutement de professeurs bilingues a été lancée à l'extérieur de la province, tandis que les conseils scolaires incitent les enseignants à profiter des nouveaux programmes d'études supérieures en enseignement immersif du français offerts par les universités de la Saskatchewan et de Regina. Nul doute que la formation de professeurs spécialisés constituera une des clés du succès à long terme des programmes immersifs. La rationalisation du processus de formation des enseignants est d'ailleurs un domaine dans lequel le gouvernement fédéral se doit d'intervenir.

Alberta

Les inscriptions aux cours de français langue seconde continuent de s'accroître dans l'ensemble de la province. Nombre de conseils scolaires publics projettent d'instaurer des programmes cadres de français plus tôt au primaire. D'après une enquête menée par le Conseil scolaire de Fort McMurray, près de 69 p. 100 des parents souhaitent que l'enseignement du français débute dès la quatrième année, au lieu de la septième ou de la dixième ; près de 17 p. 100 sont même d'avis qu'il devrait commencer encore plus tôt.

Le programme provincial d'immersion continue de prendre de l'ampleur à la fois au primaire et au secondaire. A Grand Prairie, par exemple, où 40 p. 100 des enfants à la maternelle sont en immersion française, le Conseil scolaire catholique a décidé d'étendre le programme jusqu'à la douzième année.

Dans tout le Canada, nombre de conseils scolaires éprouvent les mêmes problèmes de planification. Alors même qu'on réaménage l'école Saint-Gérard de Grand Prairie au coût de 2,6 millions de dollars, par suite de l'expansion du programme d'immersion, on craint déjà qu'elle ne puisse pas répondre à la demande dès 1988.

Nous avons parlé dans le passé de l'engouement pour l'immersion en français à Calgary, où des parents ont déjà fait la queue toute la nuit pour inscrire leurs

enfants. Le problème a pris une nouvelle tournure : bien que les locaux réservés à l'enseignement immersif soient maintenant beaucoup plus nombreux, les écoles sont de plus en plus surpeuplées. Le Conseil scolaire de Calgary a cru bon de découper différemment les territoires scolaires. Presque tous les programmes bilingues de la ville ont été touchés, et le nombre d'enfants qu'il faut transporter vers d'autres écoles s'est sensiblement accru. Certains écoliers doivent faire jusqu'à deux heures d'autobus par jour. Bon nombre de parents ont donc commencé à se demander si les avantages de l'immersion contrebalanceraient les inconvénients d'imposer à leurs enfants de longs trajets d'autobus.

En juin 1985, le gouvernement albertain publiait un énoncé de principe relatif à l'enseignement secondaire. Dans le cadre du plan d'action qui en découla, la province a réévalué l'ensemble de ses programmes cadres, y compris les programmes de français. Un comité consultatif du ministère de l'Éducation se penche actuellement sur les résultats de cette étude.

Colombie-Britannique

Les cours d'immersion suscitent toujours le même enthousiasme en Colombie-Britannique. La Canadian Parents for French y compte d'ailleurs plus de membres que dans toute autre province, plus de 30 p. 100 ayant été recrutés au cours de l'année écoulée.

L'an dernier, des parents d'élèves en immersion dans le district de Cowichan envisageaient d'intenter une action contre le Conseil scolaire, en vertu de la *Charte canadienne des droits et libertés*, par suite de sa décision de supprimer ces cours au-delà de la sixième année. Dans un premier temps, la Cowichan Valley Parents for French (section locale de la British Columbia Parents for French) a remis au Conseil nouvellement élu une pétition réclamant le maintien de l'immersion au secondaire. Les commissaires, renversant à l'unanimité la décision précédente, ont non seulement résolu d'offrir l'immersion jusqu'en douzième année, mais aussi d'élargir le programme d'immersion longue. Les parents ont bien sûr retiré leur plainte.

Dans la péninsule de Saanich, sur l'île de Vancouver, un conflit semblable opposait les parents d'élèves en immersion longue aux commissaires locaux. Le Conseil scolaire avait décidé en avril de mettre fin graduellement aux cours d'immersion offerts au primaire. Ce programme, auquel 600 des 6 300 élèves du district étaient inscrits, était devenu aux dires du Conseil un « cauchemar administratif » qui accaparait gestionnaires et commissaires. Le plus grand problème que rencontrait le Conseil était de trouver des locaux pour satisfaire à la demande croissante. Les parents soutenaient pour leur part que les commissaires avaient manqué à leur promesse électorale de maintenir le programme. A la fin de mai, les parents avaient réussi à le faire rétablir. Cependant, celui-ci commence maintenant en première année plutôt qu'en maternelle, et sera confiné aux deux écoles qui l'offraient déjà. Par ailleurs, le Conseil a chargé un comité de faire le point sur les besoins en cette matière. Comme la majorité des commissaires récemment

élus s'opposent à toute expansion de l'immersion longue, il se peut que l'avenir du programme soit de nouveau compromis. Manifestement, concilier les divergences de vues entre parents et commissaires constitue un redoutable défi. Seul un dialogue ouvert et une saine diffusion de l'information permettront d'arriver à des solutions stables, qui éviteront que les élèves soient perpétuellement pris entre deux feux.

Dans l'ensemble de la province, la clientèle des programmes immersifs frise les 19 000 élèves. Contrairement à l'an dernier, les inscriptions aux programmes cadres de français semblent en voie d'augmentation. Cependant la Colombie-Britannique, comme d'autres provinces, souffre d'une pénurie de professeurs qualifiés pour ses programmes immersifs. Certains conseils, comme celui de Kamloops, ont commencé à engager des enseignants de l'est du Canada. Quant au problème du financement, une lueur d'espoir est apparue en mai : dans un discours prononcé au Centre culturel français de Kelowna, le Secrétaire d'État de l'époque s'est dit d'avis que le gouvernement fédéral pourrait faire davantage pour soutenir les programmes immersifs, et pourrait même servir d'intermédiaire entre gouvernements provinciaux et conseils scolaires afin d'aider à trouver des modes de financement appropriés. Nous souhaitons ardemment que les autorités fédérales assument ainsi leur rôle en cette matière.

Yukon

Le réseau scolaire de Whitehorse continue d'offrir l'immersion en français jusqu'à la cinquième année inclusivement. Sur les 282 élèves inscrits à ce programme, ceux de maternelle, de première et de deuxième reçoivent tout leur enseignement en français. En troisième, 80 p. 100 des heures d'enseignement sont données en français, 70 p. 100 en quatrième et en cinquième. Il existe par ailleurs des programmes cadres de français de la première à la douzième année.

Le projet pilote de l'école secondaire F.H. Collins de Whitehorse mérite qu'on s'y attarde. Avec l'appui financier du Secrétariat d'État, les élèves de cet établissement pouvaient s'inscrire à divers cours donnés entièrement en français, sous la surveillance du Centre français de Whitehorse. Cinq élèves se sont inscrits depuis septembre, mais le coordonnateur du programme prévoit qu'ils seront plus nombreux au prochain semestre. Ces cours, offerts de la neuvième à la douzième et reconnus par le ministère de l'Éducation, sont intégrés au programme normal. Nous suivrons ce projet avec intérêt, en espérant que d'autres écoles emboîteront le pas.

Territoires du Nord-Ouest

L'enseignement du français continue de gagner en popularité dans les Territoires du Nord-Ouest. Environ un tiers des 13 296 élèves y sont inscrits dans des programmes cadres ou immersifs. Bien que la majorité se trouve dans des programmes cadres, les inscriptions continuent d'augmenter dans les quatre écoles offrant l'immersion. Celle-ci est offerte de la maternelle à la dixième année, tandis

que le programme cadre couvre tous les échelons, y compris la maternelle ; la majorité de la clientèle de ce dernier se concentre de la première à la sixième année.

En juin, le Comité de développement de l'enseignement du français langue seconde s'est penché sur un projet de guide pédagogique à l'intention des professeurs du programme cadre de français de la maternelle à la sixième année. Il fut notamment question, à cette occasion, de la nécessité d'un énoncé de principe sur le nombre d'heures à consacrer au programme cadre de français. La pénurie d'enseignants qualifiés a également été évoquée. Par ailleurs, on a vu naître l'an dernier le Northwest Territories Schools Project Committee, qui sera chargé de coordonner la participation des Territoires du Nord-Ouest à l'Étude nationale sur les programmes cadres de français entreprise par l'Association canadienne des professeurs de langue seconde.

L'enseignement postsecondaire en français : un cheminement critique

Partout au Canada, les universités commencent à se rendre compte qu'elles ont le devoir de répondre aux besoins d'enseignement postsecondaire en français de deux groupes : les étudiants francophones de l'extérieur du Québec, et les diplômés anglophones de l'immersion en français.

Précisons d'emblée que le besoin le plus pressant est de donner aux francophones la possibilité de faire des études universitaires dans leur langue, car les communautés francophones hors du Québec sont manifestement désavantagées à cet égard. Un rapport de 1985 intitulé *Éducation et besoins des Franco-Ontariens : le diagnostic d'un système d'éducation*, dont il a été question dans notre rapport annuel de l'an dernier, a démontré à quel point ce handicap était lourd en Ontario. Il convient de revenir sur un de ses passages : « Tant dans les collèges communautaires que dans les universités, l'absence presque totale de programmation en français pour les domaines reliés aux professions de la technologie, de l'industrie, de la science et du commerce a pour effet d'exclure les Franco-Ontariens de la génération actuelle de participer sur un pied d'égalité à l'avenir social et économique du Canada. » Bien qu'aucune étude analogue n'ait encore été entreprise ailleurs, on a tout lieu de croire que la situation doit être pire dans la plupart des autres provinces.

Il faut également penser aux diplômés des cours immersifs et aux autres étudiants anglophones qui ont acquis une connaissance fonctionnelle du français. S'ils ne sont présentement qu'une poignée à sortir de nos écoles secondaires, il faut s'attendre à un véritable raz-de-marée à la fin des années 90. Les universités doivent se préparer dès maintenant à l'éventualité que de plus en plus de jeunes anglophones voudront quelques cours en français au postsecondaire. Elles doivent aussi comprendre que nombre de ces étudiants voudront s'inscrire à des cours donnés en français non seulement pour améliorer leur connaissance de la langue, mais également pour se préparer à occuper des emplois pour lesquels le bilinguisme constitue un atout.

Il faut cependant souligner qu'il est peu probable que les mêmes programmes soient aussi profitables pour les deux groupes. Les étudiants francophones ont besoin d'un enseignement entièrement dispensé en français, dans un milieu où cette langue domine. Les diplômés des cours immersifs, pour leur part, ont besoin de moyens qui leur permettent de maintenir et de développer leur connaissance du français au cours de cette période de transition entre l'école secondaire et le marché du travail. Certes, il peut arriver que l'on soit en mesure de satisfaire simultanément aux besoins des deux groupes sans que l'un d'eux ne soit défavorisé, mais de telles situations sont probablement moins nombreuses qu'on pourrait l'espérer : en cette matière, il faut surtout éviter de forcer la note. En raison de leur passé de minoritaire, les jeunes francophones bilingues de l'extérieur du Québec peuvent être plus ouverts que d'autres à un enseignement postsecondaire mixte, mais il nous semble néanmoins que cette solution est loin d'être idéale, si même elle est possible. L'idée que des arrangements de cette sorte préparent mieux les bilingues, tant francophones qu'anglophones, à la réalité qui les attend est éminemment défendable. Mais il y a, ou il devrait y avoir, d'autres solutions aussi valables, sinon plus, pour les membres des deux groupes. Le Canada n'a jamais étudié à fond la viabilité ni l'économie, au sens le plus large du terme, d'un système d'enseignement où les minorités francophones disposeraient d'une gamme assez étendue de programmes postsecondaires, dispensés dans un « centre d'excellence » unique et entièrement francophone, en particulier dans l'Ouest, et des moyens (frais de transport et d'hébergement) d'en tirer parti. Il n'y aurait aucun mal à permettre éventuellement à quelques anglophones parfaitement bilingues d'en profiter, mais ceux-ci ne devraient se prévaloir de cette possibilité qu'en faisant preuve de la plus grande considération et du plus grand tact envers leurs frères et leurs sœurs minoritaires.

On commence à peine à débattre de ce qu'il conviendrait de faire pour la grande majorité des jeunes anglophones bilingues, et nous ne prétendons pas connaître toutes les réponses, tant s'en faut. Disons toutefois, sans fausse modestie, que nos observations et notre expérience nous permettent d'affirmer que de demander à des professeurs anglophones plus ou moins bilingues d'enseigner en français des versions modifiées de leurs cours normaux, n'est peut-être bénéfique ni pour leurs élèves ni pour les professeurs. Il se peut que certains soient aptes à le faire, mais la compétence en langue seconde ou troisième, même des mieux disposés, nous fait douter du succès de cette entreprise, du moins pour quelques années encore. Allons un peu plus loin et posons-nous les questions suivantes : Est-ce vraiment ce dont ont besoin ces jeunes, manifestement motivés et déjà fort avancés, pour combler le vide en matière de langue seconde entre l'école secondaire et un marché du travail bilingue plutôt localisé pour le moment ? Et sommes-nous prêts à assumer leur frustration s'il se révèle que cette solution n'est pas vraiment « pertinente » ?

Certes, nous serions sur un terrain plus sûr si nous leur offrions plus de choix : cours facultatifs de langue et de littérature française ; cours *généraux* sur mesure

en français en diverses disciplines (sciences, histoire, art, etc.) ; possibilité de participer à des débats ou à diverses activités dans cette langue ; bref, un bon éventail de cours bien conçus mais moins spécialisés qu'actuellement, et moins exigeants quant aux crédits, donnés en bon français canadien contemporain. Nous leur devons et nous nous devons de découvrir la meilleure solution. Les gouvernements fédéral et provinciaux devraient prévoir de toute urgence un débat honnête et éclairé sur ces questions et sur bien d'autres. Les jeunes dont il s'agit sont les leaders de demain ; leur instruction et l'apport qu'ils peuvent faire à notre pays sont trop importants pour que l'on se permette d'improviser en la matière.

Étant donné que les collèges et les universités connaissent actuellement des années de vaches maigres, il ne serait de toute évidence ni réaliste ni utile que tous ces établissements refondent leurs programmes pour offrir une gamme étendue de cours en français. Il est donc essentiel qu'il y ait concertation entre les provinces, et que l'on consulte les représentants des groupes cibles afin de répartir de façon juste et sensée les ressources limitées dont on disposera vraisemblablement à cet effet. Un certain nombre d'établissements ont déjà mis en œuvre des programmes, et certains efforts impressionnants, qui vont des projets ingénieux aux initiatives franchement ambitieuses, se sont concrétisés. Nous passons en revue ci-dessous les faits marquants de cette année, en commençant par ceux qui ont eu une portée nationale avant de nous tourner vers ceux qui ont marqué l'Ontario, l'Ouest et l'Est. (Cet exposé ne traite pas du Québec puisque les membres des deux groupes linguistiques de cette province peuvent assez aisément faire leurs études dans l'une ou l'autre langue officielle.)

Événements nationaux

Conférence sur l'enseignement postsecondaire

En mars dernier, la Canadian Parents for French organisait à Ottawa un colloque sur l'enseignement postsecondaire. Trois grandes conclusions s'en sont dégagées :

- les besoins des collectivités francophones doivent l'emporter sur ceux des diplômés des cours immersifs ;
- les élèves du secondaire qui sont admissibles à des programmes d'enseignement en français doivent connaître les possibilités qui leur sont offertes à cet égard par les établissements postsecondaires, et être encouragés à s'y inscrire ;
- la formation des professeurs et le financement des universités sont de la plus haute importance.

Par ailleurs, la Société canadienne pour l'étude de l'enseignement supérieur a tenu son assemblée générale à l'Université du Manitoba en juin dernier. Cette réunion avait pour thème : « *Post-Secondary Education in Canada: The Cultural Agenda* ». Les communications qui y ont été présentées (y compris l'allocution du Commissaire, intitulée « Le bilinguisme dans les universités et les collèges canadiens ou l'éducation postsecondaire dans la langue de la minorité — pour qui ? pourquoi ? et comment ? ») sont en cours de publication et constitueront les

volumes XVI et XVII de *Monographs in Education* (monographies présentées sous la direction d'Alexander Gregor et Keith Wilson, Université du Manitoba, 1986).

Études publiées par le Secrétariat d'État

Au début de l'année, le Secrétariat d'État a publié deux études connexes. La première, *L'enquête nationale de 1983-1984 sur les étudiants postsecondaires*, a trait notamment aux possibilités qu'ont les étudiants de s'instruire dans leur langue officielle d'élection. Selon cette enquête, en dehors du Québec, près de la moitié des étudiants francophones ont suivi un enseignement entièrement en anglais ; 40 p. 100 d'entre eux ont déclaré qu'ils auraient préféré recevoir un enseignement bilingue, et 10 p. 100 un enseignement entièrement en français. Au Québec, la grande majorité des francophones et plus de 70 p. 100 des anglophones recevaient un enseignement postsecondaire dans leur langue maternelle. Environ un tiers des membres de ces deux groupes ont déclaré qu'ils auraient préféré recevoir un enseignement bilingue.

L'Accessibilité à l'enseignement postsecondaire au Canada, Recension des ouvrages est une étude plus générale dans laquelle on retrouve quelques passages relatifs aux minorités de langue officielle. Elle souligne l'importance croissante de l'éducation des adultes à temps partiel, et examine dans quelle mesure les groupes minoritaires en général suivent un enseignement postsecondaire. Voici l'une de ses conclusions : « L'on pourrait explorer le rapport entre les fonds accordés par les provinces aux universités (et collèges) et l'accès des divers groupes sociaux et économiques et des minorités culturelles aux établissements postsecondaires. » Nous sommes tout à fait d'accord.

Ontario

Initiatives gouvernementales

Le gouvernement ontarien a pris diverses mesures qui semblent s'inspirer des conclusions du rapport Churchill et qui s'accordent avec les vues progressistes de celui-ci sur les services en langue française. Le 5 décembre, l'Ontario et le Québec ont signé un protocole d'entente sur l'enseignement postsecondaire en vertu duquel les deux provinces s'efforceront « de donner aux étudiants, dans toute la mesure du possible, la possibilité de poursuivre leurs études postsecondaires dans un établissement et une province de leur choix ». Cet accord facilitera l'admission d'étudiants franco-ontariens dans les universités québécoises. Comme les premiers programmes touchés seront ceux des sciences de la santé, cette initiative devrait remédier dans une certaine mesure à la pénurie des professionnels francophones dans le domaine de la santé et des services sociaux.

En 1986-1987, le ministère des Collèges et Universités a octroyé 900 000 $ aux universités désireuses de lancer de nouveaux programmes en langue française. Il a aussi accordé des crédits supplémentaires (15,1 millions de dollars aux universités et 8 millions aux collèges communautaires) destinés à payer les cours bilingues et les cours en français.

Études sur l'instruction des Franco-Ontariens

Deux études sur la population franco-ontarienne ont aussi été publiées en 1986. La première, parue en avril, et intitulée *Le profil de l'étudiant franco-ontarien quant à son intention de poursuivre des études postsecondaires*, a été réalisée par les professeurs Pierre Poirier, Evelyn Gagné et Maurice Lapointe de l'Université d'Ottawa. On y compare les projets des élèves franco-ontariens de douzième année pour découvrir ce qui distingue ceux qui ont l'intention de faire des études universitaires ou collégiales et ceux qui veulent travailler tout de suite après leurs études secondaires. Les auteurs recommandent que l'on poursuive la recherche afin de déterminer pourquoi si peu d'étudiants franco-ontariens souhaitent poursuivre des études avancées en sciences, en génie ou en sciences de la santé.

A la mi-mai, le professeur Jean-Charles Cachon, de l'Université Laurentienne, a publié son *Étude stratégique sur les services d'éducation universitaire en français dans le nord-est de l'Ontario*. L'auteur y examine les besoins en enseignement postsecondaire des francophones du nord-est de l'Ontario, en insistant particulièrement sur les façons dont l'Université Laurentienne pourrait les satisfaire. En plus de préconiser la création au sein de l'Université d'un comité de développement des services en français, il recommande que l'on établisse un programme visant à augmenter le bilinguisme du corps enseignant, que l'on fasse la promotion des programmes en langue française et que l'on mette en place des installations réservées aux recherches de doctorat en français.

Sondage auprès des universités

Le Conseil des universités de l'Ontario a effectué cette année un sondage au nom de l'Association des universités partiellement ou entièrement de langue française. Toutes les universités ont reçu un formulaire leur demandant de déterminer dans quelle mesure leurs enseignants et leurs étudiants de doctorat étaient capables de donner des cours en français, et s'ils étaient disposés à le faire. Le Conseil espère pouvoir dresser un inventaire informatisé au printemps.

Universités et collèges de l'Ontario

Le *collège Cambrian* a annoncé en octobre qu'il comptait ouvrir un nouveau Centre linguistique en janvier 1987 pour coordonner l'enseignement du français langue première et langue seconde, ainsi que celui d'autres langues.

Le *collège Canadore* a institué un cours d'alphabétisation des adultes destiné aux francophones du nord de l'Ontario, où le taux global d'analphabétisme fonctionnel atteint 34 p. 100 dans la collectivité francophone. (L'Organisation des Nations unies considère comme analphabète fonctionnel toute personne dont le niveau de scolarité ne dépasse pas la neuvième année.) Une douzaine de précepteurs bénévoles ont ainsi été formés. Une deuxième session va bientôt en former une quinzaine d'autres.

L'*Université Carleton* a créé une « mention en français », qui sera accordée aux étudiants ayant démontré leur aptitude à faire du travail universitaire en français dans leur propre discipline ainsi que leur compréhension du fait français au Canada. Le programme est conçu pour les anglophones qui ne préparent pas une concentration ni une spécialisation en français.

L'*Université Laurentienne* envisage d'ouvrir en septembre 1987 un nouveau campus français... en France ! Elle prévoit que 300 étudiants environ, dont la moitié seront des francophones, s'y inscriront dès la première année. Tout étudiant ayant fait une année d'étude dans une université canadienne peut faire une demande d'admission.

L'*Université d'Ottawa* a rendu publique la réponse de son Comité de la planification au rapport du Groupe de travail sur les services en français, qui avait recommandé la création de nouveaux programmes en droit et en sciences de la santé. Elle a également élargi son cours destiné aux diplômés des programmes immersifs ; en 1986-1987, cinq départements offraient des cours d'introduction d'un an aux étudiants ayant une connaissance avancée de leur langue seconde.

Les professeurs de l'*Université Queen* travaillent à la mise au point d'un « système intelligent piloté par micro-ordinateur » pour l'enseignement du français langue seconde. Il s'inspirera du programme Q'Vinci qui utilise de gros ordinateurs IBM pour l'enseignement de l'italien écrit.

L'*Université de Toronto* offre maintenant des cours de philosophie et d'architecture en français, auxquels s'ajoutera bientôt un cours de droit. Elle a aussi réalisé un catalogue sur microfiches des ouvrages en français que renferme sa bibliothèque, et préparé une liste de ses professeurs bilingues. Le poste de radio étudiant CIUT, qui a commencé à émettre depuis peu sur la bande MF, diffusera le dimanche matin une émission française intitulée *Branche-toi*. L'Université espérait par ailleurs ouvrir une Maison française sur le campus Erindale, mais cette initiative n'a pas suscité jusqu'ici suffisamment d'intérêt. Toutefois, le bureau des résidences universitaires s'attend à avoir plus de demandes en 1987-1988 : aussi a-t-il l'intention de concrétiser son projet même si la demande est faible. Le programme s'adresse aussi bien aux anglophones qui ont étudié le français qu'aux francophones.

L'*Université de Waterloo*, qui offre déjà des cours d'art et de génie en français, a ajouté un programme d'échanges grâce auquel cinq étudiants pourront faire des études chaque année à Nantes, en France.

L'*Université York* a publié le *Rapport du Comité consultatif du président sur le bilinguisme*. Les recommandations peuvent se résumer ainsi : encourager les étudiants franco-ontariens à s'inscrire à l'établissement ; publier des documents dans les deux langues et mettre en place une signalisation bilingue sur le campus, dans toute la mesure du possible ; créer des programmes bilingues d'études supérieures ; offrir des possibilités de formation linguistique aux membres du corps professoral ; organiser des activités socio-culturelles en français. Au printemps, l'Université York a aussi envoyé une « mission universitaire » en France chargée d'étudier les possibilités de coopération. Au retour, la délégation a recommandé que l'Université s'engage dans un programme d'échanges avec des établissements français.

L'Ouest

Manitoba

Le *Collège universitaire de Saint-Boniface* a institué une maîtrise en enseignement du français. Jusqu'ici, la demande a dépassé le nombre des places disponibles.

Une enquête menée par l'*Université du Manitoba* auprès de ses professeurs a révélé qu'environ 160 d'entre eux pouvaient enseigner en français et étaient disposés à le faire. Le ministère de l'Éducation a toutefois refusé d'appuyer un programme visant à offrir des cours en français, craignant semble-t-il que le seul établissement francophone du secteur, le Collège de Saint-Boniface, souffre de la concurrence. A notre avis, il serait dommage d'abandonner l'idée avant d'en avoir débattu plus avant et d'avoir fait plus de recherches ; cependant, il est possible que les enjeux soient trop élevés pour la minorité à l'heure actuelle. Dans l'intervalle, l'Université et le Collège pourraient trouver un compromis qui satisferait les aspirations des francophones et des anglophones bilingues.

L'Université a aussi fait paraître récemment une étude exhaustive et fort utile intitulée *Bilingual Education, A Challenge for Canadian Universities in the '90's*, qui avait pour objet « de déterminer comment les universités de langue anglaise du Canada entendent répondre à la demande de cours de premier cycle en français qui viendra vraisemblablement des étudiants des cours immersifs au cours de la prochaine décennie ». Cette publication offre tout à la fois une description des programmes présentement disponibles au Canada, les résultats d'un sondage fait auprès d'un millier de professeurs d'université canadiens, une compilation d'entretiens avec 87 administrateurs et professeurs d'université, et enfin une bibliographie. Ses principales recommandations sont les suivantes :

- que la plupart des universités canadiennes offrent certains cours de premier cycle en français ;
- que l'on crée des programmes novateurs de formation en langue française dans les universités de toutes les régions du pays afin qu'un important contingent de professeurs d'université acquièrent l'aisance nécessaire pour enseigner leur discipline en français ;
- que le gouvernement fédéral, par l'entremise du Conseil des ministres de l'Éducation, mette des fonds à la disposition des universités qui sont disposées à offrir des cours en français ou à instaurer des programmes de formation linguistique à l'intention de leurs professeurs.

Saskatchewan

L'*Université de Regina* a mis sur pied un projet pilote d'envergure : deux groupes de cinq professeurs seront invités à suivre quinze heures de cours de français par semaine pendant deux semestres, afin d'être en mesure, au cours du semestre suivant, d'aller travailler dans leur domaine à l'Université Laval, à Québec. A leur retour à Regina, ils devront donner certains cours en français pour les diplômés des programmes immersifs. Le coût de ce projet, qui sera financé par le gouvernement fédéral et celui de la province ainsi que par les deux universités, sera de l'ordre 400 000 $ pour la période initiale de deux ans et demi.

L'*Université de la Saskatchewan* offre actuellement un cours d'introduction à la sociologie en français, son deuxième cours dans cette langue. Environ la moitié des 25 étudiants inscrits sont francophones. L'Université a eu du mal à fournir des livres et du matériel didactique en français, mais la situation semble meilleure qu'il y a trois ans, lorsqu'on a lancé le premier cours en français. Par ailleurs, la faculté des Sciences de l'éducation de l'Université a institué cette année un programme de formation des enseignants en immersion couronné par un baccalauréat en éducation, et destiné à former des professeurs de niveau élémentaire. Les étudiants qui suivront ce programme recevront 90 p. 100 de leur formation en français.

Alberta

L'*Université de l'Alberta* a rétabli la connaissance d'une langue seconde comme condition d'admission à sa faculté des Arts. Elle offre aussi des cours de français par télé-conférence, c'est-à-dire un enseignement par téléphone. Un professeur d'Edmonton peut ainsi donner le cours à des classes situées à Calgary, Rivière-la-Paix, Girouxville, Falher, Yellowknife, Vancouver et Bonnyville. Il existe actuellement cinq cours de ce genre.

Colombie-Britannique

En janvier 1986, la Fédération des Franco-Colombiens a tenu une conférence sur l'enseignement postsecondaire à Vancouver. M. Geoffrey Mills, du ministère de l'Éducation, a annoncé à cette occasion que l'on se proposait de faire une étude pour déterminer le nombre d'élèves « immersifs » actuellement au secondaire qui seront admissibles à l'enseignement postsecondaire en français. Cette conférence a donné lieu à plusieurs recommandations, et notamment :

- que les cours postsecondaires en français soient ouverts tant aux francophones qu'aux anglophones, à condition qu'ils aient une connaissance suffisante de la langue ;
- qu'un seul établissement se charge d'offrir la plupart des cours en français, et que l'on puisse recourir au télé-enseignement ;
- que l'on envisage des échanges avec d'autres provinces ;
- que l'étude proposée par M. Mills tienne compte des besoins de la population francophone adulte.

L'*Université Simon Fraser* a créé un précédent en Colombie-Britannique : depuis janvier 1987, elle offre deux cours en français : « Le Canada jusqu'à la Confédération » et « Introduction à la politique canadienne ». La Colombie-Britannique était jusque-là la seule province à n'offrir aucun cours postsecondaire en français. Ces cours visent d'abord à répondre aux besoins des diplômés de l'enseignement immersif, tout en étant ouverts à ceux et celles qui possèdent la formation nécessaire.

L'Est

Île-du-Prince-Édouard

L'*Université de l'Île-du-Prince-Édouard* a fait connaître en mai dernier sa nouvelle politique sur les cours en français. Sa « Déclaration sur la langue et la culture françaises » traite des besoins des diplômés de programmes immersifs et annonce

que l'Université a l'intention de promouvoir les cours dispensés en français. On donnera aux professeurs la possibilité de parfaire leur connaissance du français, et l'Université cherche un soutien financier additionnel pour mettre en œuvre sa politique. Pour le moment, elle est aux prises avec les problèmes habituels de recrutement de personnel qualifié.

Nouveau-Brunswick

L'*Université du Nouveau-Brunswick* en est à sa seconde année d'un programme de formation des enseignants qu'on destine au programme d'immersion en langue française. Dix étudiants y sont inscrits pour 1986-1987, et on est à mettre sur pied un centre de documentation.

Bien que l'*Université de Moncton* n'ait pas lancé de nouveau programme cette année, cet établissement mérite une mention honorable car il dispense depuis longtemps un enseignement postsecondaire en français et compte un département de traduction.

* * *

Ce panorama national est très encourageant, et plusieurs établissements méritent des éloges pour leur démarche progressiste et constructive. Deux considérations doivent néanmoins rester présentes à l'esprit de tous :

- On a accordé moins d'attention cette année aux possibilités qu'ont les francophones de faire des études dans leur langue maternelle (exception faite de l'Ontario et du Nouveau-Brunswick), qu'aux programmes conçus pour les diplômés de l'enseignement immersif. Les besoins des minorités de langue officielle doivent pourtant prévaloir, non parce que les besoins des diplômés de l'immersion sont sans importance, mais parce que sans une minorité francophone instruite, le bilinguisme des anglophones serait aussi inutile qu'un téléphone unidirectionnel.

- On ne saurait accorder un trop grand soutien à l'éducation des adultes minoritaires, et en particulier aux programmes d'alphabétisation comme celui qui a été mis sur pied par le collège Canadore. Si ces programmes sont les parents pauvres des programmes prestigieux conçus pour les étudiants plus fortunés, ils présentent par ailleurs de grands avantages pour les individus comme pour la collectivité. Ils permettent aussi de résoudre un problème particulier de façon très directe sans exiger de mises de fonds importantes.

Dans l'allocution qu'il a prononcée en juin dernier à la conférence de l'Université du Manitoba sur l'enseignement postsecondaire, le Commissaire aux langues officielles a fait un certain nombre de recommandations que nous résumons ci-après, et qui constituent une ébauche de plan d'action dans ce domaine complexe :

- dans le cadre de la renégociation des accords entre le fédéral, les provinces et les territoires, il faudrait élaborer une *stratégie* de financement de l'enseignement postsecondaire en français qui donnerait priorité aux besoins des minorités de langue officielle, sans oublier pour autant ceux des diplômés des programmes immersifs ;

- dans le même ordre d'idée, il faudrait inciter les gouvernements provinciaux à élaborer une politique en matière d'enseignement postsecondaire en français et à coordonner les efforts des divers établissements de façon à tirer le meilleur parti possible des ressources disponibles ;
- il faudrait tenir, dès que possible, un colloque national sur l'enseignement postsecondaire en français afin d'assurer à tout le moins des échanges réguliers d'information et un examen périodique des nouvelles méthodes et des situations de fait ;
- enfin, les gouvernements, les universités et les collèges devraient accorder plus d'attention et un meilleur soutien aux programmes d'éducation et d'alphabétisation des adultes destinés aux minorités de langue officielle, et les soutenir davantage.

ANNEXES

Le Commissariat aux langues officielles : maintenir la pression

En vertu de la *Loi sur les langues officielles*, les fonctions du Commissaire sont au nombre de trois. Ombudsman, il s'emploie à protéger les droits linguistiques de tous les Canadiens ; vérificateur, il s'assure que les organismes fédéraux se conforment aux exigences de la Loi ; promoteur de l'égalité linguistique, il cherche par tous les moyens à accélérer la réforme du régime linguistique et, plus particulièrement, à défendre les droits des minorités de langue officielle pour qu'elles puissent préserver leur identité. Le Commissaire est secondé dans ses fonctions par un sous-commissaire, cinq directions à l'administration centrale et six bureaux régionaux.

Cette année encore, le Commissaire s'est principalement employé à insuffler à la réforme du régime linguistique un esprit de renouveau, tant au sein des organismes fédéraux qu'en ce qui a trait aux minorités. Ainsi, il a maintenu un large éventail de contacts avec les membres du gouvernement, les dirigeants de la fonction publique, le Parlement, les médias et nombre d'autres intervenants, en vue de favoriser une meilleure compréhension des progrès accomplis et d'aider à résoudre les problèmes à court et à long terme. La fin de l'année a été marquée par le dépôt exceptionnel, auprès du Gouverneur en conseil, de trois rapports spéciaux invitant le gouvernement à participer à la recherche de solutions aux problèmes chroniques qui y sont signalés, et visant à l'éclairer sur la question des droits linguistiques alors qu'il s'apprête à soumettre au Parlement un projet de modification de la *Loi sur les langues officielles*.

Soucieux de sensibiliser le plus de gens possible aux besoins et aux attentes des collectivités minoritaires de langue officielle, le Commissaire a effectué de nombreux déplacements. En 1986, il s'est rendu en Colombie-Britannique, au Manitoba, en Ontario, au Québec, au Nouveau-Brunswick, en Nouvelle-Écosse et à l'Île-du-Prince-Édouard. Lors de ses rencontres avec les premiers ministres, les ministres, les hauts fonctionnaires, les représentants des groupes minoritaires, les enseignants et les notables de ces provinces, il a discuté des droits et des besoins des collectivités minoritaires et souligné la nécessité de resserrer les liens qui les unissent à leur gouvernement. Si, dans l'ensemble, les autorités provinciales

manifestent de plus en plus leur volonté d'accorder aux questions linguistiques l'attention qu'elles méritent, elles ne sont pas toujours passées aux actes.

Le Commissaire s'est vu confier le rôle de conférencier invité lors du congrès annuel de la Fédération acadienne de la Nouvelle-Écosse, tenu à Halifax, et de l'assemblée annuelle du Committee for Anglophone Social Action, qui a eu lieu à Paspébiac en Gaspésie. A Winnipeg, il s'est adressé aux membres de la Société canadienne pour l'étude de l'enseignement supérieur, tandis qu'à Ottawa, il a prononcé le discours inaugural de l'assemblée annuelle de la Canadian Parents for French. Afin de mieux comprendre les questions régionales et de manifester son appui aux minorités linguistiques, le Commissaire s'est en outre rendu à Hearst et à Kapuskasing, en Ontario, et à Edmundston, au Nouveau-Brunswick. L'allocution qu'il a prononcée devant les membres du Ottawa-Carleton Board of Trade était un avant-goût du rapport d'étude sur le bilinguisme dans l'entreprise privée qui paraîtra au début de 1987.

Le Commissaire a poursuivi la réorganisation du Commissariat, notamment en accroissant ses activités sur la scène régionale. Afin de resserrer les liens entre son Bureau et le public sans grever le budget, le Commissaire a proposé, pour les provinces où il n'a pas de représentant officiel, que l'on retienne les services de personnes influentes qui feraient office d'agents de liaison à temps partiel dans certaines collectivités. On compte mettre ce projet en œuvre au cours de l'année 1987.

L'année a aussi été marquée par la tenue du Colloque international sur l'aménagement linguistique (voir annexe B) et de celui des ombudsmans canadiens, tous deux coparrainés par le Commissariat.

Au chapitre des nominations de cadres, signalons que M. Peter L. Rainboth est devenu sous-commissaire, M. Jean-Claude Nadon directeur des Plaintes et vérifications, et M^me^ Anne-Marie D.-Sylvestre directeur des Communications.

Politiques

Les principales tâches de la direction des Politiques se résument ainsi : présenter au Commissaire et à son personnel des opinions d'ensemble et des analyses détaillées sur les lignes directrices, la législation, la réglementation et les arrêts des tribunaux concernant les langues officielles ; se tenir au courant des situations locales et des événements ayant des incidences linguistiques ; suivre attentivement les programmes gouvernementaux ainsi que les études, les enquêtes et autres initiatives en matière de langues officielles ; préparer des discours et des exposés pour le Commissaire et le Sous-commissaire ; rédiger des parties importantes du Rapport annuel ; assurer l'organisation et le suivi des conférences et autres manifestations patronnées par le Commissaire ou auxquelles assistent ses représentants ; et répondre aux demandes de renseignements spéciales provenant des gouvernements et des citoyens canadiens ou étrangers.

En 1986, la Direction a effectué plusieurs études spéciales. Parmi celles-ci, signalons un projet visant à étudier et à promouvoir divers moyens pour accroître

l'efficacité de la coopération entre le gouvernement et le secteur privé en vue de la réalisation des objectifs linguistiques ; une analyse de la responsabilité en matière de langues officielles ; et la préparation de deux études de cas sur les collectivités minoritaires du Québec et de l'Ontario. Elle a également assuré la liaison entre le Commissariat et le Comité mixte ; préparé et mis à jour la stratégie du Commissariat ; et rédigé un certain nombre de discours, d'articles et d'exposés pour le Commissaire. Enfin, elle a participé à l'organisation, à la tenue et au suivi du Colloque international sur l'aménagement linguistique.

Pour 1987-1988, la Direction disposera d'un effectif de 13 personnes et d'un budget de 1 003 000 $.

Plaintes et vérifications

Cette Direction fait enquête sur les déficiences linguistiques des organismes fédéraux qui lui sont signalées par le public et les fonctionnaires ; elle y effectue également des vérifications.

Le processus de traitement des plaintes a été considérablement modifié de manière à en accroître l'efficacité et, notamment, à en faire un véritable moteur de la réforme du régime linguistique. Inauguré le 1er mars 1986, le Centre d'évaluation et de répartition des plaintes travaille en étroite collaboration avec les divisions de la Direction pour assurer le règlement des plaintes.

En 1987, la Direction effectuera davantage d'études et de vérifications horizontales. Entre autres, elle examinera la capacité des organismes fédéraux de la région de l'Atlantique (d'abord en Nouvelle-Écosse et à l'Île-du-Prince-Édouard) à satisfaire aux besoins des minorités francophones. Elle passera également en revue les principes linguistiques devant régir la participation du gouvernement fédéral aux manifestations internationales. Enfin, elle évaluera la prestation des services bilingues dans la région de la Capitale nationale.

C'est aux six ans, en général, que les principaux organismes du gouvernement feront désormais l'objet d'une vérification. Dans l'année qui suit la publication du rapport de vérification, on effectuera un suivi destiné à garantir la mise en œuvre des recommandations. D'autre part, on mènera des études spéciales lorsque les plaintes indiqueront qu'un secteur précis d'un organisme requiert une attention immédiate.

La Direction a invité à deux reprises cette année les directeurs des langues officielles d'un certain nombre de ministères et de sociétés de la Couronne à discuter des divers aspects du programme linguistique. Ces réunions ont donné lieu à des analyses réalistes de la situation et frayé la voie à de possibles solutions. D'autres rencontres seront organisées en 1987.

Au cours des deux dernières années, on a réduit de cinq à trois le nombre de divisions au sein de la Direction et on a mis sur pied une unité de recherche.

L'an dernier, la Direction a effectué 34 vérifications, études et suivis, et donné suite à quelque 3 800 communications (plaintes et demandes de renseignements),

dont environ 1 400 ont fait l'objet d'une enquête. Les 2 400 autres ont été traitées dans le cadre de vérifications ou de suivis, ou ont été portées à l'attention des ministères intéressés.

Pour 1987-1988, la Direction disposera d'un effectif de 53 personnes et d'un budget de 2 695 000 $.

Communications

Afin de promouvoir l'égalité linguistique au Canada, la direction des Communications distribue par la poste, ou lors d'expositions ou de congrès, des exemplaires du Rapport annuel et de la revue *Langue et Société* ainsi qu'une variété de documents imprimés et audio-visuels. Elle traite également les demandes de renseignements et de documentation, tient à jour une liste d'adresses des particuliers et des organismes qui souhaitent recevoir les publications régulières ou spéciales du Commissariat, et s'occupe de la bibliothèque qui est ouverte au public. Les relations avec les médias d'information de tout le pays lui permettent d'assurer une excellente visibilité au Commissariat.

Plusieurs mesures ont été entreprises en 1986 afin d'ajuster notre tir vis-à-vis nos publics cibles : une étude pour la réorientation de la revue *Langue et Société* ; le développement d'un système assurant une évaluation régulière de nos véhicules d'information ; une analyse destinée à réduire le temps consacré à la production des coupures de presse quotidiennes et hebdomadaires. Les activités de l'unité de distribution sont désormais entièrement informatisées, et nous avons réussi à relever le défi du traitement bilingue des demandes.

La revue *Langue et Société* est parue deux fois. Le numéro de mars, intitulé « Les minorités : le temps des solutions », résumait les délibérations du colloque tenu à Ottawa et à Hull, les 17, 18 et 19 octobre 1985, sous les auspices du Commissaire aux langues officielles. Celui de septembre, consacré à la jeunesse, reproduisait les meilleurs textes soumis au concours d'œuvres de fiction lancé par le Commissaire à l'occasion de l'Année internationale de la jeunesse. Dans ce même numéro, l'article de MM. Stacy Churchill et Anthony Smith, intitulé « Vers l'unanimité... d'un pas plus assuré », analysait une partie des données recueillies lors d'un sondage mené par Réalités canadiennes en septembre et octobre 1985.

La jeunesse a toujours été l'une de nos priorités. En 1986, nous avons publié, sous le titre *Vous aviez la parole*, les textes des lauréats et d'autres participants du concours d'œuvres de fiction lancé par le Commissaire. Nous avons également recueilli les commentaires et opinions des jeunes auteurs dans *Fiction accomplie*, une bande vidéo destinée principalement au marché de la télévision. Celle-ci a également été distribuée dans les écoles secondaires, accompagnée d'exemplaires de *Vous aviez la parole* et d'un guide d'utilisation, le tout formant une trousse intitulée *Soyez à l'écoute*. D'autre part, une évaluation de la trousse *Explorations* a incité la Direction à procéder à certaines modifications : les règles du jeu ont été simplifiées et le nombre de composantes a été réduit, ce qui a permis d'abaisser

le coût unitaire. Enfin, nous mettons actuellement au point *Deux Voix en harmonie*, une publication sur les droits linguistiques destinée aux jeunes de 15 à 17 ans. Les illustrations et les activités proposées en feront un outil intéressant et efficace pour les écoles. De plus, nous sommes à préparer un agenda scolaire destiné aux jeunes de 12 à 14 ans.

Cette année la Direction a distribué 21 324 trousses *Explorations*, 60 811 *Oh! Canada 2*, 7 800 disques *Le Téléphone*, 10 483 *Rapport annuel*, et 8 017 exemplaires du tiré à part de la partie V sur la jeunesse, la langue et l'enseignement (dont nous avons dû imprimer 8 000 exemplaires supplémentaires), 172 743 affiches destinées à notre public jeunesse et 31 670 exemplaires de *Vous aviez la parole*. Cette dernière publication s'est révélée si populaire qu'en dépit d'une politique de distribution parcimonieuse, le tirage initial de 30 000 exemplaires a dû être suivi d'un second tirage de 20 000 copies. Durant le mois de décembre, le Commissariat a reçu 712 demandes pour la trousse *Soyez à l'écoute*.

Au cours de cet exercice, le Commissariat a participé à plusieurs expositions et congrès dans la Capitale nationale et dans d'autres régions. La Direction a coordonné la participation du Commissariat à Expolangues 1986, réunion internationale tenue à Paris, du 10 au 23 février. Par ailleurs, le Commissariat a établi des contacts plus suivis avec les médias de toutes les régions, afin de sensibiliser un plus grand nombre de Canadiens à l'état de la réforme du régime linguistique.

Pour 1987-1988, la Direction disposera d'un effectif de 20 personnes et d'un budget de 2 823 000 $.

Opérations régionales

Depuis sa création en mai 1985, cette Direction coordonne et dirige les activités des bureaux régionaux de Moncton, Montréal, Sudbury, Winnipeg, Edmonton et, depuis décembre 1986, Toronto. Elle maintient des relations suivies avec les associations nationales et les groupes communautaires de langue minoritaire, et tient le Commissaire et son équipe au courant des activités régionales. La Direction analyse les événements pouvant avoir des incidences sur la réforme du régime linguistique à l'échelle régionale ; offre au Commissaire conseils et renseignements en vue de ses visites dans les régions ; et coordonne la participation des bureaux régionaux à la préparation et à la distribution du Rapport annuel. Le personnel des bureaux régionaux examine les plaintes d'intérêt local, participe aux vérifications linguistiques et cherche à promouvoir l'égalité du français et de l'anglais à l'échelon local.

L'adoption du concept de la « concertaction » a marqué cette année le travail de la Direction. Certains employés des bureaux régionaux font équipe avec des représentants des autorités municipales et provinciales, du gouvernement fédéral, du secteur privé et d'autres groupes intéressés afin de travailler de concert à résoudre des problèmes linguistiques précis. En 1987, la Direction coordonnera

d'autre part les activités des nouveaux agents de liaison à temps partiel dans les régions où le Commissariat n'a pas de représentants officiels.

Enfin, en collaboration avec la direction des Plaintes et vérifications, elle a entrepris une vérification exhaustive dans les provinces de l'Atlantique. En 1987, elle prévoit en faire autant en Alberta.

Pour 1987-1988, la Direction disposera d'un effectif de 30 personnes et d'un budget de 1 994 000 $.

Gestion des ressources

Cette Direction, chargée de la gestion du personnel du Commissariat sous tous ses aspects, seconde et conseille les administrateurs pour ce qui est des lignes directrices et des pratiques en cette matière, administre le budget, exerce un droit de regard sur les dépenses et veille à ce que les ressources matérielles soient exploitées rationnellement et efficacement. Bref, le Commissaire lui a délégué son autorité pour la plupart des questions relatives au personnel, aux finances et à la gestion des ressources.

Cette année, le budget géré par la Direction s'élevait à 10 609 000 $. Environ 65 p. 100 de ce budget est absorbé par les traitements et les contributions aux régimes sociaux, et 35 p. 100 est affecté aux frais d'administration et d'exploitation. Le budget du Commissariat est demeuré sensiblement le même au cours des trois dernières années.

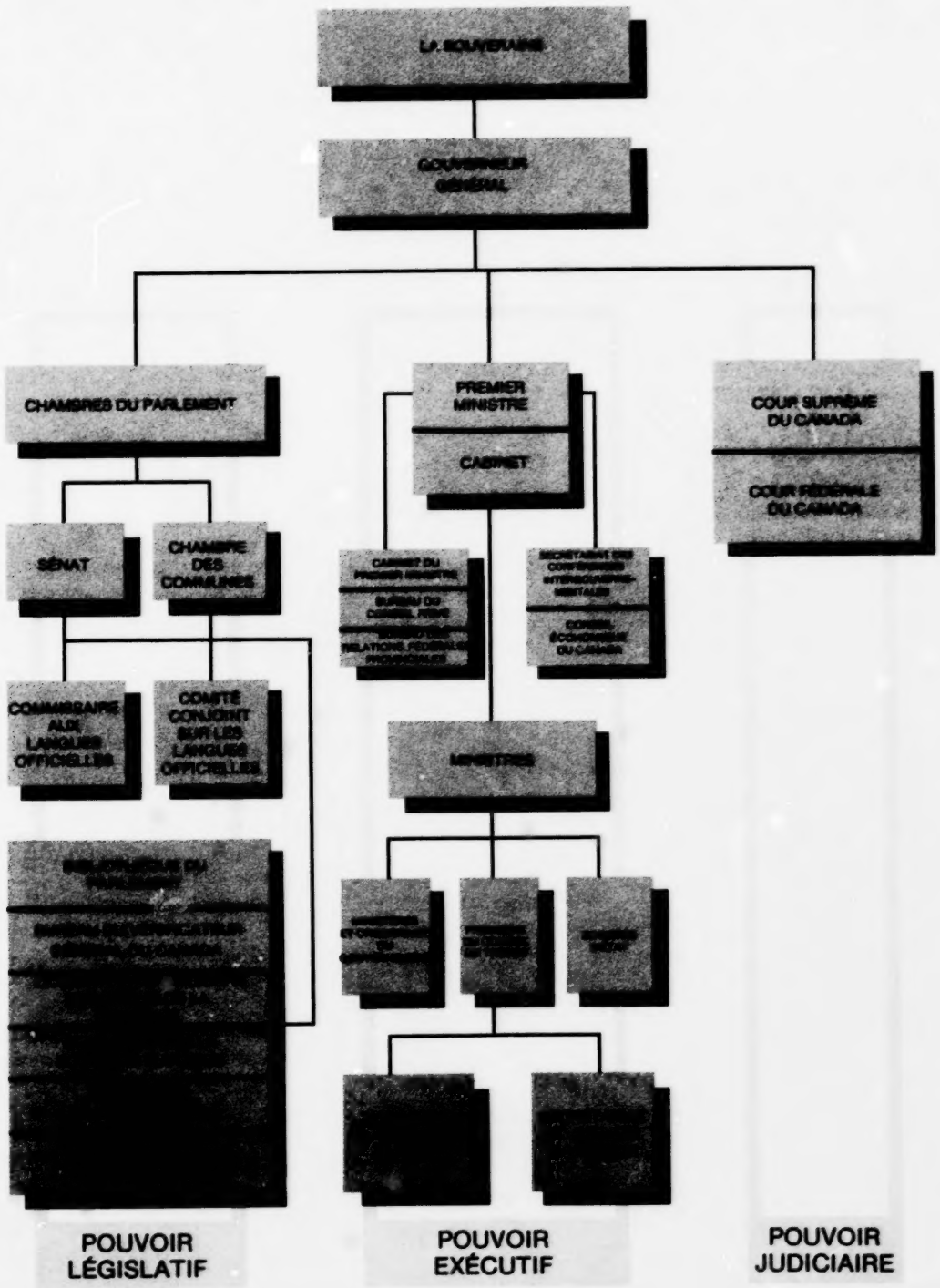
Il va sans dire que tous les employés du Commissariat se doivent de maîtriser les deux langues officielles. Environ 75 p. 100 des 152 employés permanents sont d'expression française, pourcentage qui est demeuré sensiblement le même au cours des années malgré les efforts visant à accroître le nombre d'employés anglophones. Plusieurs facteurs ont fait obstacle à la réalisation de cet objectif : le mandat du Commissariat, qui intéresse plus directement les francophones que les anglophones ; le degré élevé de bilinguisme exigé des employés ; la taille restreinte du Commissariat, qui entraîne un faible taux de roulement de ses employés. Ainsi, plus de 80 p. 100 des candidats à des postes sont francophones. Le Commissariat a cependant bon espoir de remédier à la situation, le recrutement d'anglophones compétents constituant toujours l'une de ses plus grandes priorités.

Pour 1987-1988, la Direction, qui englobe les divisions du Personnel, des Finances et de l'Administration ainsi que le Bureau du Commissaire, disposera d'un effectif de 36 personnes et d'un budget de 2 094 000 $.

GOUVERNEMENT DU CANADA

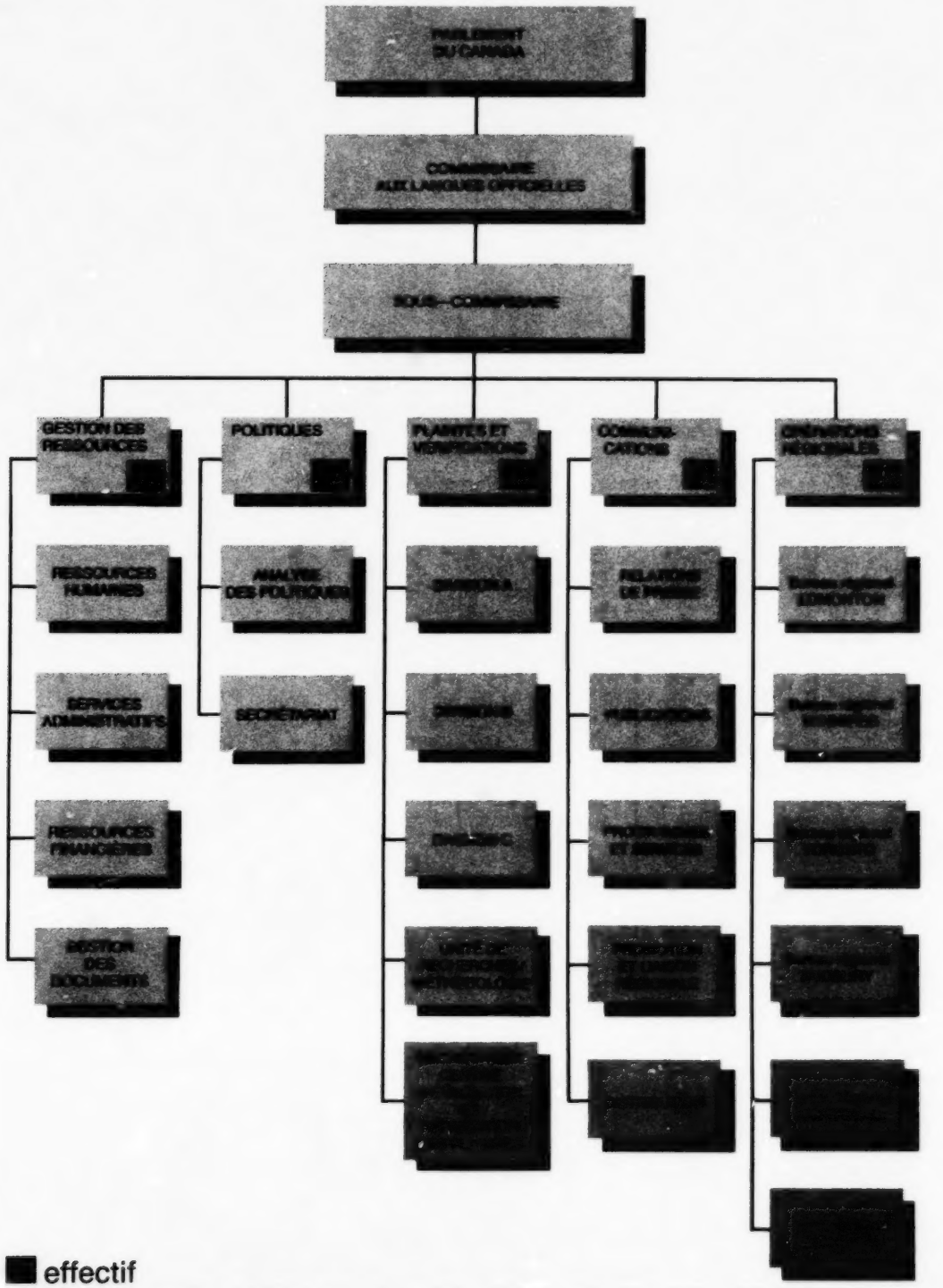
Organigramme abrégé

1



COMMISSARIAT AUX LANGUES OFFICIELLES 2

Organigramme



■ effectif

LES PLAINTES

A.1

Répartition numérique des plaintes, selon la province, 1970–1985 et 1986 ; organismes mis en cause et nature des plaintes, selon la province, 1986

	1970–1985	1986						
	Total des plaintes reçues	Communications reçues	Organismes mis en cause		Nature des communications Français		Anglais	
					Langue de service	Langue de travail	Langue de service	Langue de travail
	Nombre	Nombre	Fédéraux	Non fédéraux				
Terre-Neuve	88	35	35	—	32	3	—	—
Île-du-Prince-Édouard	193	39	36	3	38	1	—	—
Nouvelle-Écosse	441	437	414	23	423	9	4	1
Nouveau-Brunswick	1 419	140	103	37	125	12	3	—
Québec[a]	3 921	150	127	23	53	28	65	4
Ontario[b]	8 187	2 679	2 509	170	640	1 959	39	41
Manitoba	1 072	87	71	16	79	4	4	—
Saskatchewan	606	66	62	4	63	1	—	2
Alberta	772	117	107	10	112	1	4	—
Colombie-Britannique	443	83	79	4	76	4	2	1
Territoires du Nord-Ouest et du Yukon	27	6	6	—	5	1	—	—
Étranger	106	8	7	1	6	—	2	—
TOTAL	**17 265**	**3 847**	**3 556**	**291**	**1 652**	**2 023**	**123**	**49**

[a] Inclut le côté québécois de la région de la Capitale nationale.

[b] Inclut le côté ontarien de la région de la Capitale nationale.

LES VÉRIFICATIONS LINGUISTIQUES ET SUIVIS

A.2

Vérifications linguistiques et suivis effectués dans les ministères et organismes fédéraux, 1984, 1985 et 1986

1984

Administration de pilotage des Laurentides
Affaires des anciens combattants
Agriculture (services internes et recherche et développement)
Commission des allocations aux anciens combattants
Commission des pensions
Bureaux des services juridiques des pensions
Commission d'appel des pensions
Affaires extérieures (siège social)
Air Canada (aéroport international de Toronto : langue de service)
Air Canada (district d'Ottawa : langue de travail)
Conseil de recherches en sciences humaines
CN (tour et hôtels)
CN (langue de travail au siège social)
Expansion industrielle régionale (Bureau du tourisme)
Gendarmerie royale du Canada (administration centrale)
Harbourfront
Inspecteur général des banques
Justice
Office canadien pour un renouveau industriel
Office national de l'énergie
Office national du film
Parcs Canada
Rapports linguistiques entre cinq sociétés de la Couronne et leurs fournisseurs du Québec
Sénat
Société de construction des musées du Canada
Travail
Tribunal antidumping
Vérificateur général du Canada

1985

Vérifications

Approvisionnements et Services (Services)
Bureau du Conseil privé
Cabinet du Premier ministre
Chambre des communes
CN Marine
Commission de l'emploi et de l'immigration (administration centrale)
Corporation Place du Havre
Environnement
Expansion industrielle régionale
Gendarmerie royale du Canada (administration centrale)
Gouverneur général
Intégration des langues officielles dans la vérification interne
Via Rail (langue de travail)

Suivis

Assurances
Banque fédérale de développement
Centre national des arts
Commission canadienne des transports
Commission de contrôle de l'énergie atomique du Canada
Communications (Agence des télécommunications gouvernementales)
Conseil de la radiodiffusion et des télécommunications canadiennes
Conseil de recherches en sciences humaines du Canada
Conseil des arts du Canada
Parcs Canada
Pêches et Océans
Pétro-Canada
Radio-Canada (général)
Radio-Canada (ingénierie)
Revenu national (Douanes et Accise)
Revenu national (Impôt)
Santé nationale et Bien-être social
Secrétariat d'État (Service de langues officielles)
Société pour l'expansion des exportations
Transports
Travaux publics

1986

Vérifications

Air Canada (service en vol, opérations aériennes et maintenance)
Commissaires à l'information et à la vie privée
Commission de la Capitale nationale
Commission de la Fonction publique
Consommation et Corporations
Contrôleur général
Défense nationale (collèges militaires)
Défense nationale (Centre médical)
Gendarmie royale du Canada (Centre de formation et Saskatchewan)
Musées nationaux
Service canadien du renseignement de sécurité
Société canadienne d'hypothèques et de logement

Suivis

Affaires des anciens combattants
Affaires extérieures
Bureaux des services juridiques des pensions
Cabinet du Premier ministre
CN (administration centrale)
CN (tour et hôtels)
Commission canadienne d'examen des exportations de biens culturels
Commission des allocations aux anciens combattants
Commission des pensions
Commission du tarif
Conseil de révision des pensions
Corporation Place du Canada (avant l'ouverture d'Expo 86)
Gouverneur général
Office national du film
Pont international de la voie maritime
Sénat
Société canadienne des postes
Société immobilière du Canada (Mirabel) limitée
Société immobilière du Canada (Vieux-Port de Montréal) limitée
Société immobilière du Canada (Vieux-Port de Québec) inc.
Vérificateur général

A.3

LE PROGRAMME JEUNESSE : DISTRIBUTION

Répartition, en nombre et en pourcentage, des trousses *Oh ! Canada 2* et *Explorations* distribuées dans chaque province et répartition de l'effectif des jeunes de 8 à 12 ans et de 13 à 17 ans de chaque province par rapport à l'ensemble national, 1980 à 1986

	OH! CANADA 2			EXPLORATIONS		
	Trousses distribuées[a]		Jeunes de 8 à 12 ans[c]	Trousses distribuées[b]		Jeunes de 13 à 17 ans[c]
	Nombre	%	%	Nombre	%	%
Terre-Neuve et Labrador	24 517	2,6	3,1	9 184	1,7	3,2
Île-du-Prince-Édouard	5 293	0,6	0,6	3 276	0,6	0,6
Nouvelle-Écosse	34 687	3,7	3,7	14 450	2,8	3,8
Nouveau-Brunswick	74 341	8,0	3,3	16 647	3,0	3,2
Québec	187 728	20,1	24,5	192 141	35,5	22,4
Ontario	401 068	42,9	35,1	201 893	37,3	37,5
Manitoba	43 992	4,7	4,5	19 852	3,7	4,4
Saskatchewan	26 971	2,9	4,4	13 475	2,5	4,2
Alberta	57 086	6,1	9,7	25 629	4,7	9,3
Colombie-Britannique	74 131	7,9	10,7	42 359	7,8	11,1
Territoires du Yukon	814	0,1	0,1	339	0,1	0,1
Territoires du Nord-Ouest	3 087	0,3	0,3	658	0,1	0,2
Étranger	963	0,1	—	1 283	0,2	—
TOTAL	**934 678**	**100,0**	**100,0**	**541 186**	**100,0**	**100,0**

[a] Trousses distribuées entre le 7 novembre 1980 (lancement) et le 31 décembre 1986.

[b] Trousses distribuées entre le 22 septembre 1980 (lancement) et le 31 décembre 1986.

[c] Ces pourcentages sont tirés du Bulletin n° 81-210 de Statistique Canada, *Effectifs des écoles primaires et secondaires*, 1984-1985.

LE PROGRAMME JEUNESSE : COÛTS

A.4

Conception, fabrication et distribution des trousses *Oh ! Canada 2* et *Explorations* : nombre d'exemplaires et coûts, 1979-1980 à 1986-1987

	Conception et fabrication		Distribution[a]	
OH! CANADA 2	**Nombre d'exemplaires**	**Coûts (en $)**	**Nombre d'exemplaires**	**Coûts (en $)**
1979-1980	301 508[b]	183 027	—	—
1980-1981	—	124 540	126 944	86 124
1981-1982	456 468[c]	209 717	174 259	52 308
1982-1983	—	—	196 793	67 260
1983-1984	300 100[bc]	239 618[f]	92 014	126 526
1984-1985	—	176 892[f]	110 523[f]	139 467[i,j]
1985-1986	—	[c]	186 058[c]	106 023[c]
1986-1987	—	—	48 000[d]	53 760[d]
TOTAL	**1 058 076**	**933 794**	**934 591**	**631 468**
EXPLORATIONS				
1979-1980	201 722[b]	756 712	—	—
1980-1981	—	334 721[e]	148 173	283 798
1981-1982	130 946	569 891	53 517	109 683
1982-1983	—	99 465[g]	85 142	109 914
1983-1984	182 213	889 891[b]	78 333	173 902
1984-1985	20 178	135 965	78 492	156 937[h]
1985-1986	—	14 341[c,j]	85 700[c]	158 545[c]
1986-1987	41 200[d]	162 888[d]	14 000[d,k]	24 724[d]
TOTAL	**576 259**	**2 949 533**	**543 357**	**1 017 503**

[a] Comprend les frais d'administration, de publicité, d'expédition et d'évaluation.
[b] Les frais de conception et de fabrication sont répartis sur deux années budgétaires.
[c] Données révisées depuis la parution du *Rapport annuel 1985*.
[d] Estimation.
[e] Comprend les frais d'impression de 200 000 cartes-affiches *Langues du monde* ainsi que de 100 000 brochures *Le Dossier langues* supplémentaires.
[f] Comprend le développement et la production d'éléments sonores.
[g] Comprend le développement et l'impression de la deuxième édition de la carte-affiche *Langues du monde*.
[h] Comprend l'informatisation de certaines fonctions reliées à la distribution.
[i] Comprend la diffusion d'éléments sonores.
[j] Comprend l'assemblage du cinquième tirage.
[k] Comprend la période au cours de laquelle les stocks étaient épuisés.

LES QUESTIONS LINGUISTIQUES VOUS INTÉRESSENT ?

A.5

Imprimés, matériel audiovisuel et trousses pour les jeunes produits par le Commissariat aux langues officielles

IMPRIMÉS*

Rapport annuel. Publication bilingue présentée tous les printemps au Parlement. Fournit aux parlementaires et au grand public les données qui leur permettront de juger des progrès de la réforme du régime linguistique entreprise au Canada il y a 17 ans. Environ 200 pages dans chaque langue.

Sommaire du Rapport annuel. Sommaire du Rapport annuel soumis au Parlement par le Commissaire aux langues officielles. Son petit format en fait un outil pratique pour les réunions et facile à consulter. Environ 15 pages dans chaque langue.

Les minorités : le défi. Tiré à part du *Rapport annuel 1984* du Commissaire aux langues officielles qui décrit les différents problèmes auxquels font face les minorités de langue officielle. Environ 38 pages dans chaque langue.

La jeunesse, la langue et l'enseignement. Tiré à part du *Rapport annuel 1985* du Commissaire aux langues officielles qui renferme une foule de renseignements sur la jeunesse, les langues et l'enseignement. Environ 70 pages dans chaque langue.

Langue et Société. Publication bilingue qui s'adresse à tous ceux qu'intéressent les questions linguistiques qui se posent au Canada et dans d'autres pays. Réunit une variété d'informations et d'opinions de collaborateurs canadiens et étrangers. Environ 24 pages dans chaque langue.

Deux langues, c'est tout un monde. Affiche bilingue dont le thème est mis en relief par la couleur et le graphisme. Format 53 × 70 cm.

POUR LES JEUNES*

Vous aviez la parole. Recueil des œuvres rédigées par des jeunes de 15 à 24 ans dans le cadre du concours d'œuvres de fiction lancé par le Commissaire pour marquer l'Année internationale de la jeunesse. Les œuvres françaises sont présentées d'un côté et les œuvres anglaises de l'autre. Environ 40 pages dans chaque langue.

Soyez à l'écoute. Trousse qui offre la possibilité unique de connaître les idées et les sentiments des jeunes Canadiens et Canadiennes sur l'art de vivre dans un pays bilingue. Elle contient la publication intitulée *Vous aviez la parole*, la bande vidéo *Fiction accomplie* et un guide d'utilisation. Réservée aux enseignants et aux organismes.

Langues du monde / Les langues au Canada. Carte-affiche bilingue qui, d'un côté, illustre les langues officielles de quelque 160 pays et, de l'autre, offre des données sur le français et l'anglais au Canada ainsi que sur les langues autochtones et patrimoniales. Format 91 × 61 cm.

Explorations. Jeu bilingue destiné aux jeunes de 12 ans et plus. C'est un tour du monde qui les sensibilise au statut international du français et de l'anglais dans un univers linguistique extrêmement varié. Avec le jeu *Explorations*, les joueurs vont de ville en ville, au hasard des dés. Conçu pour quatre joueurs ou moins.

Le Dossier langues. Un recueil d'articles, d'illustrations et d'activités qui renseignent sur l'histoire et le rôle des langues. Seize pages dans chaque langue.

Oh ! Canada 2. Trousse bilingue amusante et instructive pour jeunes de 8 à 12 ans. Elle comprend une brochure de 32 pages intitulée *Oh ! Canada 2*, qui s'ouvre sur une bande dessinée racontant les incroyables aventures de Hildie, Jamie, Michel et Geneviève la tortue. Les pages suivantes sont un pot-pourri d'activités : devinettes, découpages, proverbes, etc. La trousse contient aussi un jeu appelé *Retrouvons Geneviève* qui invite les jeunes à parcourir le Canada à la recherche de la tortue espiègle, et un disque 33⅓ tours *Le Téléphone*.

Sauvons Geneviève. Décalque bilingue, haut en couleurs, de Geneviève, la tortue espiègle de la bande dessinée *Oh ! Canada 2*. Idéal pour chandails de coton ou molletonnés, 15 cm de diamètre.

Nos amis à plumes. Affiche qui donne les noms français et anglais d'un bon nombre d'oiseaux qui égaient les villes et les campagnes de l'Amérique du Nord, 48 × 69 cm.

Les hiboux hululent. Le langage animal est prétexte à une leçon de français et d'anglais. Affiche bilingue de 45 × 59 cm.

Le français et l'anglais... dans près de la moitié des pays du monde. Affiche bilingue qui donne, sur un fond de ballons aux couleurs vives, les drapeaux des pays où nos deux langues officielles sont communément utilisées. Une légende au verso identifie ces pays. Format 48 × 69 cm.

La bernache du Canada. Les services du gouvernement fédéral sont disponibles dans les deux langues officielles, voilà le message transmis aux jeunes de 9 ans et moins par les six illustrations aux couleurs vives de cette affiche dont la vedette est une bernache du Canada. Format 61 × 86 cm.

MATÉRIEL AUDIOVISUEL[b]

Au-delà des mots... la Loi sur les langues officielles. Court métrage en couleur de 15 minutes expliquant la *Loi sur les langues officielles* et ce qu'elle représente concrètement pour le Canada et les Canadiens. Décrit également le rôle du Commissaire. Utile pour les séances d'information et les colloques destinés au grand public ou aux fonctionnaires. Également disponible en version anglaise. Existe en 16 mm et en vidéocassette de ¾ po.

Deux langues pour mieux se comprendre. Diaporama qui traite de la *Loi sur les langues officielles* et du mandat du Commissaire. Recommandé pour des séances d'information et des colloques. Également disponible en version anglaise. Jeu de 60 diapositives couleur et bande sonore, ou vidéocassette de ¾ po ; 10 minutes.

Il était deux fois... Twice Upon a Time. Le bilinguisme canadien vu avec le sourire. Vise surtout à susciter la discussion. Court-métrage couleur en 16 mm ou en vidéocassette de ¾ po, 10 minutes.

B.B. vingt ans après. Reportage réalisé à l'occasion du 20e anniversaire de la Commission royale d'enquête sur le bilinguisme et le biculturalisme. Des entrevues avec diverses personnalités permettent de faire le point sur les progrès accomplis. Également disponible en version anglaise, *Bilingualism and Biculturalism, Twenty Years Later.* Sur vidéocassette de ¾ po., couleur, 30 minutes.

[a] Pour obtenir les publications décrites ci-dessus il suffit d'écrire à la direction des Communications, Commissariat aux langues officielles, Ottawa, Canada, K1A 0T8.

[b] Le matériel audiovisuel peut être emprunté de toutes les cinémathèques de l'Office national du film et du Commissariat.

B.1

LES PROGRAMMES DE LANGUES OFFICIELLES

Ventilation des prévisions budgétaires et des effectifs affectés aux programmes de langues officielles à l'extérieur et au sein de la Fonction publique fédérale, 1985–1986 et 1986–1987

	1985–1986		1986–1987	
	Prévisions budgétaires révisées ($ 000)	Effectif	Prévisions budgétaires révisées ($ 000)	Effectif
PROGRAMMES EXTERNES: PROVINCES, TERRITOIRES ET ORGANISMES				
Secrétaire d'État				
• Paiements de transfert aux provinces et aux territoires au titre des programmes de langues	214 306[a]		216 541	
• Paiements de transfert aux groupes minoritaires de langue officielle[b]	19 539		19 629	
• Paiements de transfert au titre des programmes d'expansion du bilinguisme[b]	7 810		7 509	
• Dépenses de fonctionnement	4 749	76	4 076	71
Commission de la Capitale nationale				
• Subventions à des programmes externes de bilinguisme	300	,40	300	,40
Commissaire aux langues officielles	9 924	141	9 809	145
Total partiel	256 628	217,40	257 864	216,40
PROGRAMMES INTERNES: FONCTION PUBLIQUE ET FORCES ARMÉES				
Conseil du Trésor				
• Direction des langues officielles	5 082	67	5 126	64
Commission de la Fonction publique				
• Formation linguistique	37 337	748	36 794	703
• Administration et autres activités	3 010	65	2 956	63
Secrétariat d'État				
• Services de langues officielles[a]	90 556[a]	1 771[a]	89 505	1 588
Autres ministères et organismes	75 122	645	70 368	502
Forces armées	40 504	1 085	42 027	1 131
Total partiel	251 611	4 381	246 776	4 051
TOTAL	508 239	4 598,40	504 648	4 267,40

[a] Le chiffres des prévisions budgétaires du Secrétariat d'État rapportés dans le Rapport Annuel de 1985 ont été révisés afin d'inclure les prévisions du Budget suppémentaire des dépenses et les réductions imposées par le Conseil du Trésor en 1985-1986. Nous avons changé les totaux en conséquence.

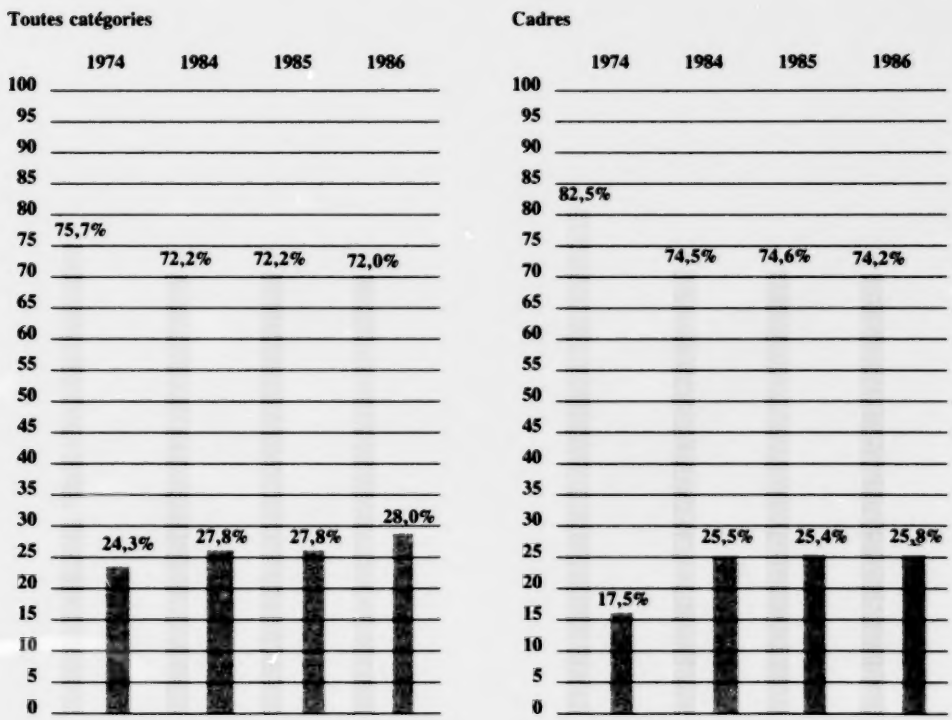
[c] Le terme *Bureau des traductions* a été remplacé par celui de *Service de langues officielles*.

Sources : Rapports émanant des ministères et organismes concernés. Toutes les prévisions budgétaires pour 1986-1987, à l'exception de celles des Forces armées, tiennent compte du Budget suppémentaire des dépenses et des réductions imposées par le Conseil du Trésor.

LES DEUX GROUPES DE LANGUES OFFICIELLES ET LA FONCTION PUBLIQUE DU CANADA

B.2

Répartition, en pourcentage et selon la première langue officielle[a], de l'effectif de la Fonction publique (toutes catégories professionnelles et cadres[b]), 1974, 1984, 1985 et 1986



Légende

Anglophones

Note : Il est intéressant de comparer les données de ce tableau avec les statistiques pour 1965 de la Commission sur le bilinguisme et le biculturalisme, bien que celles-ci portent sur la langue maternelle des employés et non leur première langue officielle. La répartition des francophones et des anglophones pour toutes les catégories étaient alors respectivement de 21,5 et 78,5 %.

[a] La Commission de la Fonction publique et le Conseil du Trésor définissent comme première langue officielle « la langue officielle (le français et l'anglais) à laquelle l'employé (ou l'employée) est le plus attaché(e) ».

[b] Comprend les catégories suivantes : Gestion, Scientifiques et spécialistes, Administration et service extérieur, Techniciens.

Sources : Commission de la Fonction publique (cadres) et Système d'information sur les langues officielles du Conseil du Trésor (toutes catégories).

C.1 EFFECTIFS DES PROGRAMMES DE LANGUE SECONDE DANS LES ÉCOLES PUBLIQUES DE CHACUNE DES PROVINCES[c]

			NIVEAU ÉLÉMENTAIRE[d] (les programmes cadres)		
		Population scolaire totale	Population scolaire dont la langue d'enseignement est l'anglais (Le français au Québec)	Langue seconde	
				Effectifs	%
Terre-Neuve	1977-1978	156 168	93 623	33 585	35,9
	1985-1986[r]	142 332	73 700	36 687	49,8
	1986-1987[b]	139 371	70 722	36 325	51,4
Île-du-Prince-Édouard	1977-1978	27 491	13 284	7 351	55,3
	1985-1986[r]	24 996	10 534	6 089	57,8
	1986-1987[b]	24 763	10 381	6 027	58,1
Nouvelle-Écosse	1977-1978	198 097	100 529	30 025	29,9
	1985-1986[r]	172 614	86 164	47 357	55,0
	1986-1987[a]	170 800	84 500	46 000	55,4
Nouveau-Brunswick	1977-1978	162 229	49 019	29 563	60,3
	1985-1986[r]	141 332	37 737	28 876	76,5
	1986-1987[a]	140 400	37 000	28 500	77,0
Québec (Français langue première)	1977-1978	1 232 678	571 069	211 296	37,0
	1985-1986[r]	1 059 445	586 244	238 569	40,7
	1986-1987[a]	1 065 500	610 000	244 000	40,7
Québec (Français langue seconde)	1977-1978	1 232 678	Voir le tableau C.2 (enseignement aux minorités de langue officielle).		
	1985-1986[r]	1 059 445			
	1986-1987[a]	1 065 500			
Ontario	1977-1978	1 943 064	1 206 205	650 136	53,9
	1985-1986[r]	1 769 074	1 023 912	655 133	64,0
	1986-1987[a]	1 745 000	998 500	647 000	64,8

NIVEAU SECONDAIRE[e] (les programmes cadres)			PROGRAMMES D'IMMERSION EN FRANÇAIS			
Population scolaire dont la langue d'enseignement est l'anglais (Le français au Québec)	Langue seconde					TOTAL EFFECTIFS EN LANGUE SECONDE
	Effectifs	%	Effectifs	Écoles offrant des cours d'immersion	Nombre total d'écoles	
62 270	34 111	54,8	95	3	708	67 791
66 536	37 692	56,6	2 015	25	607	76 394
66 085	41 183	62,3	2 328	26	600	79 836
13 034	8 332	63,9	541	7	72	16 224
11 458	7 379	64,4	2 492	21	69	15 960
11 253	7 368	65,5	2 692	21	70	16 037
91 545	58 839	64,3	127	3	613	88 991
80 456	53 572	66,6	1 859	23	553	102 788
80 800	54 500	67,5	1 800	23	550	102 300
56 930	37 887	66,6	3 179	34	482	70 629
42 517	28 486	67,0	14 530	100	436	71 892
40 900	27 600	67,5	16 400	110	430	72 500
456 486	456 176	98,0	Aucun programme d'immersion en anglais n'existe.			667 472
338 521	331 751	98,0				570 320
330 000	323 000	98,0				567 000
Voir le tableau C.2 (enseignement aux minorités de langue officielle).			17 800	n.d.	2 765	17 800
			18 006	n.d.	2 549	18 006
			18 200	n.d.	2 600	18 200
607 940	220 369	36,2	12 764	160	4 742	883 269
566 155	241 078	42,6	87 819	737	4 840	984 030
558 000	248 300	44,5	97 000	850	4 800	992 300

Suite

			NIVEAU ÉLÉMENTAIRE[d] (les programmes cadres)		
		Population scolaire totale	Population scolaire dont la langue d'enseignement est l'anglais (Le français au Québec)	Langue seconde	
				Effectifs	%
Manitoba	1977-1978	221 408	110 831	42 576	38,4
	1985-1986[r]	199 013	92 974	47 930	51,6
	1986-1987[a]	199 200	91 000	48 200	53,0
Saskatchewan	1977-1978	216 716	110 382	4 928	4,5
	1985-1986[r]	202 560	107 706	20 034	18,6
	1986-1987[a]	205 000	108 000	21 000	19,4
Alberta	1977-1978	439 804	216 656	52 435	24,2
	1985-1986[r]	448 339	226 844	56 835	25,1
	1986-1987[a]	448 300	222 500	59 000	26,5
Colombie-Britannique	1977-1978	527 769	305 574	75 740	24,8
	1985-1986[r]	486 777	275 560	76 042	27,6
	1986-1987[a]	469 300	268 000	75 000	28,0
Yukon	1977-1978	5 394	3 545	1 346	38,0
	1985-1986[r]	4 554	2 594	1 058	40,8
	1986-1987[b]	4 805	2 739	1 187	43,3
Territoires du Nord-Ouest	1977-1978	12 717	8 801	2 100	23,0
	1985-1986[r]	13 470	9 409	2 275	24,2
	1986-1987[a]	13 644	9 500	2 380	25,1
TOTAL	**1977-1978**	**5 143 535**	**2 789 518**	**1 141 081**	**40,9**
	1985-1986[r]	**4 664 475**	**2 533 378**	**1 216 885**	**48,0**
	1986-1987[a]	**4 626 109**	**2 512 842**	**1 215 419**	**48,4**

[a] Estimation de Statistique Canada.
[b] Données préliminaires fournies par le ministère de l'Éducation.
[c] Ne comprend pas les élèves pour qui la langue d'instruction est l'anglais au Québec ou le français dans les autres provinces.
[d] M à 6 sauf en Ontario (M à 8), en Colombie-Britannique et au Yukon (M à 7).

NIVEAU SECONDAIRE[e] (les programmes cadres)			PROGRAMMES D'IMMERSION EN FRANÇAIS			
Population scolaire dont la langue d'enseignement est l'anglais (Le français au Québec)	Langue seconde					TOTAL EFFECTIFS EN LANGUE SECONDE
	Effectifs	%	Effectifs	Écoles offrant des cours d'immersion	Nombre total d'écoles	
100 707	41 376	41,1	1 667	13	724	85 619
87 979	40 464	46,0	12 581	67	713	100 975
88 700	41 700	47,0	14 300	75	710	104 200
104 543	48 469	46,4	407	2	971	53 804
87 682	40 207	45,9	5 965	43	933	66 206
88 800	41 300	46,5	6 900	45	930	69 200
215 899	58 903	27,3	n.d.	n.d.	1 367	n.d.
201 081	64 238	31,9	19 017	121	1 520	140 090
203 000	65 000	32,0	21 300	135	1 530	145 300
220 894	84 069	38,1	1 301	15	1 610	161 110
193 981	98 367	50,7	15 590	123	1 549	189 999
181 800	100 000	55,0	17 700	130	1 545	192 700
1 849	939	50,8	n.d.	n.d.	23	n.d.
1 681	953	56,7	247	1	25	2 258
1 733	988	57,0	291	1	25	2 466
3 916	1 100	28,1	n.d.	n.d.	70	n.d.
3 811	1 435	37,7	250	3	74	3 960
3 920	1 550	39,5	224	3	75	4 154
1 936 013	**1 050 570**	**54,3**	**37 881**	**237**	**14 147**	**3 114 975**
1 681 853	**945 622**	**56,2**	**180 345**	**1 265**	**13 868**	**2 342 852**
1 654 991	**952 489**	**57,6**	**199 111**	**1 419**	**13 865**	**2 367 019**

[e] 7 à 12 sauf en Ontario (9 à 13), au Québec (7 à 11), en Colombie-Britannique et au Yukon (8 à 12).
[r] Données révisées depuis la parution du *Rapport annuel 1985*.
n.d. Les données ne sont pas disponibles.
Note: Auparavant ces renseignements figuraient aux tableaux B.3 et B.4.
Source: Statistique Canada, Division de l'enseignement élémentaire et secondaire.

C.2

PROGRAMMES D'ENSEIGNEMENT AUX MINORITÉS DE LANGUE OFFICIELLE

Nombre d'élèves inscrits aux programmes conçus pour permettre aux enfants de la minorité de langue officielle (l'anglais au Québec et le français ailleurs), d'étudier dans leur langue maternelle ; classes où ces programmes sont assurés ; nombre d'écoles les dispensant, selon les provinces, 1970–1971, 1985–1986 et 1986–1987

		Élèves inscrits	Classes	Écoles
Terre-Neuve	1970–1971	185	M à 10	1
	1985–1986[r]	181	M à 10	2
	1986–1987[b]	236	M à 11	4
Île-du-Prince-Édouard	1970–1971	796	1 à 12	7
	1985–1986[r]	512	1 à 12	2
	1986–1987[b]	484	1 à 12	2
Nouvelle-Écosse	1970–1971	7 388	P à 12	32
	1985–1986[r]	4 135	P à 12	22
	1986–1987[a]	370	P à 12	18
Nouveau-Brunswick	1970–1971	60 679	M à 12	196
	1985–1986	46 548	M à 12	154
	1986–1987[a]	46 100	M à 12	154
Québec	1970–1971	248 855	M à 11	519
	1985–1986[r]	116 674	M à 11	392
	1986–1987[a]	107 300	M à 11	370
Ontario	1970–1971	115 869	M à 13	381
	1985–1986[r]	91 188	M à 13	359
	1986–1987[a]	91 500	M à 13	360
Manitoba	1970–1971	10 405	M à 12	49
	1985–1986[r]	5 479	M à 12	32
	1986–1987[a]	5 200	M à 12	32

Suite

		Élèves inscrits	Classes	Écoles
Saskatchewan	1970–1971	765	M à 12	12
	1985–1986[r]	1 207	M à 12	17
	1986–1987[a]	1 300	M à 12	18
		Élèves inscrits	**Classes**	**Écoles**
Alberta	1970–1971	n.d.	n.d.	n.d.
	1985–1986[r]	1 397	M à 11	11
	1986–1987[a]	1 500	M à 12	12
Colombie-Britannique	1970–1971	—	—	—
	1985–1986[r]	1 646	M à 11	34
	1986–1987[a]	1 800	M à 12	37
Yukon	1970–1971	—	—	—
	1985–1986[r]	32	1 à 5, 8 à 10	2
	1986–1987[b]	42	1 à 6, 8 à 9	3
Territoires du Nord-Ouest	1970–1971	—	—	—
	1985–1986[r]	—	—	—
	1986–1987[a]	—	—	—
TOTAL	**1970–1971**	**444 942**		**1 197**
	1985–1986[r]	**268 899**		**1 027**
	1986–1987[a]	**259 165**		**1 010**

[a] Estimation de Statistique Canada.
[b] Données préliminaires fournies par le ministère de l'Éducation.
[r] Données révisées depuis la parution du *Rapport annuel 1985*.
n.d. Les données ne sont pas disponibles.
Note : Auparavant ces renseignements figuraient au tableau B.5.
Source : Statistique Canada, Division de l'enseignement élémentaire et secondaire.

L'aménagement linguistique : au Canada et dans le monde

Parrainé par le Commissariat aux langues officielles — en collaboration avec la Commission canadienne pour l'UNESCO, le Secrétariat d'État, la Direction des affaires francophones du ministère des Affaires extérieures et le Conseil de recherches en sciences humaines du Canada — le Colloque international sur l'aménagement linguistique s'est tenu à Ottawa en mai 1986. Il s'agissait de la quatrième rencontre sur des thèmes linguistiques organisée par le Commissariat. Son intérêt pour la question de l'aménagement linguistique découlait de sa conviction que le Canada a acquis en cette matière une expertise qu'il serait utile de partager avec divers pays aux contextes linguistiques variés. En retour, il espérait tirer profit de l'expérience de ces derniers.

La notion d'aménagement linguistique est l'objet de maintes définitions savantes. En termes simples, l'expression réfère à l'intervention gouvernementale dans le domaine linguistique, d'une part en vue de définir le statut respectif des langues ou les relations entre elles, d'autre part en vue d'évaluer le dynamisme des langues elles-mêmes et d'influer sur leur évolution.

Bien que l'aménagement linguistique soit une science assez nouvelle, certains pays où se côtoient deux ou plusieurs langues y ont recouru, sans que l'expression ne leur soit connue. Les gouvernements doivent généralement intervenir lorsque l'instabilité des rapports de force naturels menace un équilibre linguistique essentiel au bien commun national. Aujourd'hui, les pays totalement unilingues sont l'exception et le contact de plusieurs langues sur un même territoire est un phénomène très répandu. Selon Sélim Abou, doyen de la faculté des Lettres et des Sciences humaines de l'Université Saint-Joseph à Beyrouth, le rôle de l'État est de « prévenir ou neutraliser les processus conflictuels auxquels peut conduire la diversité des langues au sein d'une même nation, et promouvoir au contraire la coexistence coopérative de ces langues ».

Le Colloque international a réuni 28 experts d'une vingtaine de pays répartis sur quatre continents : l'Asie, l'Afrique, l'Europe et l'Amérique. Les participants se sont d'abord penchés sur certaines questions théoriques et sur les différents

types de stratégies d'aménagement. Des spécialistes ont ensuite présenté diverses études sur la situation linguistique de nombreux pays : la Belgique, le Cameroun, la Chine, l'Espagne, la France, l'Indonésie, la Tanzanie et la Yougoslavie. Ont également été examinés quelques secteurs sociaux et administratifs où l'aménagement linguistique a d'importantes incidences : la législation et les services gouvernementaux au Canada et en Inde ; l'éducation aux États-Unis, à Madagascar, en URSS et au Canada ; le secteur privé au Québec ; et les services de soutien linguistique dans les organismes internationaux. Certaines questions fondamentales concernant l'aménagement linguistique ont aussi été abordées : l'éthique et la légitimité de l'interventionnisme gouvernemental ; l'élaboration hâtive de théories à partir de données parfois incomplètes ; les écarts inévitables entre les réalités sociales et les priorités politiques ; et enfin les divergences occasionnelles entre les postulats et la réalité. Une séance fut consacrée aux répercussions du colloque sur les futurs travaux et orientations touchant l'aménagement linguistique. Par ailleurs, une analyse de la question de la propagation de l'anglais dans le monde et de ses effets sur les autres langues, notamment le français, a été soumise à l'assemblée par un linguiste du Royaume-Uni. En dernier lieu, le professeur Joshua Fishman de l'Université Yeshiva de New York a procédé à la synthèse des travaux en les insérant dans une perspective globale.

Très soucieux d'assurer aux activités du colloque un suivi conséquent, les participants ont souhaité que le Commissariat aux langues officielles participe activement à la réalisation de cet objectif. Dans cet esprit, le comité organisateur a par la suite étudié quelques suggestions de projets qui mettraient en lumière, sur la scène internationale, la contribution canadienne au domaine de l'aménagement linguistique. De même fut évoquée la possibilité pour le Canada de développer et d'exploiter ses connaissances, de façon plus systématique et concertée, afin d'assumer le rôle qui lui est dévolu d'emblée auprès des pays bilingues et multilingues. A cet égard, certains points soulevés lors du prochain Sommet de la francophonie, qui se tiendra à Québec en septembre 1987, permettront au Canada d'établir sa compétence, tout comme la réunion des pays membres du Commonwealth à Vancouver en octobre 1987. L'apport canadien sera également mis à profit au Congrès international de droit linguistique comparé, prévu pour avril 1988 à Montréal.

Au Canada, les origines de l'aménagement linguistique remontent à plus d'un siècle. Mais la problématique a été envisagée et approfondie avec rigueur pour la première fois dans les années 60, par la Commission royale d'enquête sur le bilinguisme et le biculturalisme. Pour ce faire, celle-ci s'était en partie inspirée de la politique linguistique d'autres pays : les principes du bilinguisme en Belgique, les districts bilingues en Finlande, l'unilinguisme cantonal en Suisse, et le statut d'égalité des langues en Afrique du Sud.

Toutefois, si utile et profonde soit-elle, l'analyse de la Commission B.B. n'est ni éternelle, ni infaillible. Ainsi, du Colloque sur l'aménagement linguistique, le Canada a surtout retenu l'importance de surveiller attentivement l'évolution

de son plan linguistique, sans se départir d'une lucidité critique essentielle. D'où la nécessité d'améliorer nos ressources en matière de recherche et de documentation, et d'établir un processus permanent de consultation et d'évaluation. Nous pourrions ainsi éviter l'improvisation lorsque s'imposent des changements, puisque nous aurions déjà en main des propositions pertinentes et réfléchies.

Quelles autres leçons dégageons-nous du Colloque ? L'information obtenue sur la conception et l'application de l'aménagement linguistique en d'autres points du globe nous incite à relativiser notre situation et à analyser plus objectivement les tensions suscitées par le débat linguistique national. En regard de l'expérience d'autres États aux prises avec des problèmes similaires, nous pouvons mesurer nos réussites et nos échecs. Dans cette optique, le Commissariat aux langues officielles, avec le concours des agences concernées, cherchera à développer une stratégie visant à promouvoir le savoir-faire canadien, tout en tirant profit des recherches des autres nations.

Le Colloque aura également permis aux spécialistes étrangers d'améliorer leur compréhension de la situation linguistique canadienne actuelle, et de saisir les motivations qui ont inspiré la *Loi sur les langues officielles* et la réforme du régime linguistique qui en a résulté. En outre, ils ont pu apprécier les progrès réalisés dans divers domaines tels les droits des minorités de langue officielle, les services gouvernementaux, la recherche en linguistique, la terminologie et la traduction.

De telles rencontres ne se limitent pas à de stériles débats théoriques sur la problématique linguistique. En fait, l'intervention gouvernementale n'est qu'un des éléments nécessaires à l'harmonie linguistique. Pour être réussie, cette harmonie requiert des accommodements concrets, acceptés et compris par la population, et tenant compte de la vie quotidienne des individus et des valeurs de la société. Le désir d'harmonie doit transcender la loi et les institutions politiques pour s'inscrire dans un cadre plus large de conciliation nationale.

Nous n'avons qu'un regret : pour des raisons d'économie, nous n'avons pu inviter le public à participer au Colloque, ce qui aurait permis à un plus grand nombre de Canadiens de bénéficier d'une expérience enrichissante. En revanche, le Centre international de recherche sur le bilinguisme de l'Université Laval de Québec a été désigné pour éditer les actes de la conférence.

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